URBAN/MUNICIPAL
CA4 ON HBL A08
B91
1995

BY-LAWS OF THE
CITY OF HAMILTON
95-01 —

Bill No. D-1

BY-LAW NO. 95-01

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 1ST DAY OF DECEMBER A.D., 1994.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 1st day of December A.D. 1994

CITY CLERK

MAYOR

Bill No. C- *1*

URBAN MUNICIPAL

DEC 14 1994

GOVERNMENT DOCUMENTS

The Corporation of the City of Hamilton

BY-LAW NO. 95-*02*

To Amend:

Zoning By-law No. 6593

Respecting:

**AINSLIE WOOD NEIGHBOURHOOD,
AINSLIE WOOD EAST NEIGHBOURHOOD,
AINSLIE WOOD NORTH NEIGHBOURHOOD,
and AINSLIE WOOD WEST NEIGHBOURHOOD**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on plans hereto annexed as Schedules "A-1", "A-2", "A-3" and "A-4", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 9.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height;

(b) no building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 0.45;

(c) notwithstanding Section 2.(2)J.(viiia) of Zoning By-law No. 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement, but shall not include:

a) an attached garage;
b) a detached garage;
c) the floor area occupied by heating, air conditioning and laundry equipment; and
d) a cellar.

(d) notwithstanding subsection 1.(b) of this by-law, any portion of the dwelling where the ceiling height exceeds 4.6 metres, then the gross floor area for that portion of the dwelling shall be multiplied by a factor of 1.9.

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2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1335.

4. Sheets No. W-33, W-34, W-40 to W-42 inclusive, W-44 to W-48 inclusive, and W-50 to W-52 inclusive of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1335.

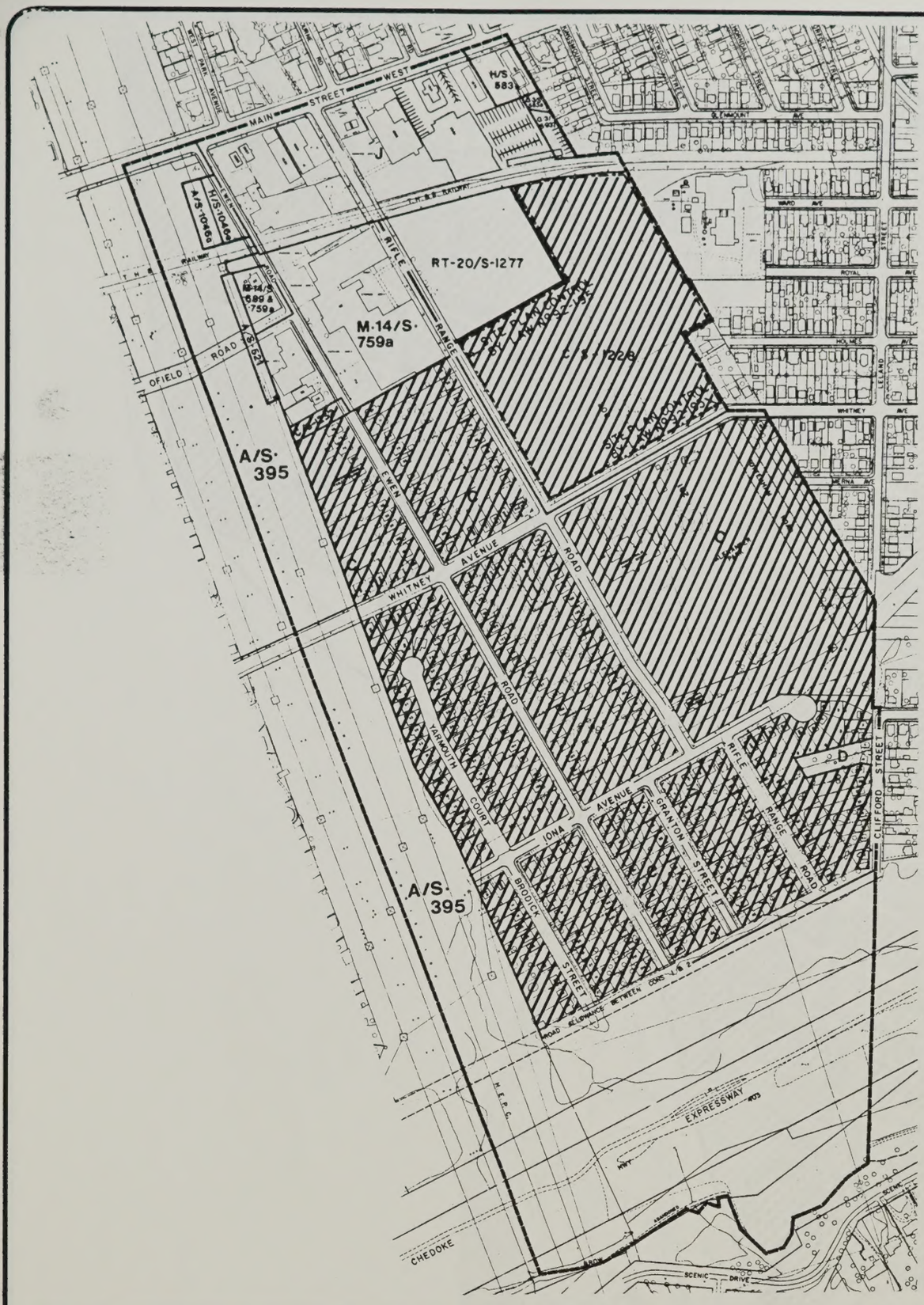
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *9th* day of *December* A.D. 1994

CITY CLERK

ACTING MAYOR

City Initiative 94-C



This is Schedule "A-1" to By-Law No. 95-02.....
Passed the ....9th. day of ..December..... , 1994.

Clerk

Acting Mayor

City of Hamilton

Schedule A-1

Map Forming Part of
By-Law No. 95-..02...
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

AINSLIE WOOD

Modification to the "C" (Urban Protected Residential, etc.) District regulations.

North	Scale	Reference File No.
	Not to Scale	C.I. 94-C
	Date	Drawn By
	DECEMBER 1994	Z.K.

This is Schedule "A-2" to By-Law No. 95-02
Passed the 9th day of December, 1994.

Clerk

Acting Mayor

City of Hamilton

Schedule A-2

Map Forming Part of
By-Law No. 95-02
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

AINSLIE WOOD EAST

Modification to the "C" (Urban Protected Residential, etc.) District regulations.

North	Scale	Reference File No.
	Not to Scale	C.I. 94-C
	Date	Drawn By
	DECEMBER 1994	Z.K.

This is Schedule "A-3" to By-Law No. 95-02.....
Passed the ...9th.. day of ....December..... , 1994.

Clerk

Geraldine Copps
Acting Mayor

City of Hamilton

Schedule A-3

Map Forming Part of
By-Law No. 95-...02....
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

AINSLIE WOOD NORTH

Modification to the "C" (Urban Protected Residential, etc.) District regulations.

North	Scale	Reference File No.
	Not to Scale	C.I. 94-C
	Date	Drawn By
	DECEMBER 1994	Z.K.

This is Schedule "A-4" to By-Law No. 95-..02.....
Passed the ..9th... day of December..... , 1994.

..... Clerk

Geraldine Copps Acting Mayor

City of Hamilton

Schedule A-4

Map Forming Part of
By-Law No. 95-..02...
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

AINSLIE WOOD WEST

Modification to the "C" (Urban Protected Residential, etc.) District regulations.

North	Scale	Reference File No.
	Not to Scale	C.I. 94-C
	Date	Drawn By
	DECEMBER 1994	Z.K.

CA4 ON HBL A08
B91

Bill No. C-1

BY-LAW NO. 95-03

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF DECEMBER A.D., 1994.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of December A.D. 1994

CITY CLERK

Geraldine Copps
ACTING MAYOR

URBAN MUNICIPAL
GOVERNMENT DOCUMENTS

CA4 ON HBL A08
B91

Bill No. *A–1*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. *95- 04*

TO INCORPORATE BLOCK 11, PLAN 62M-333 INTO GARDINER DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Gardiner Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Gardiner Drive.

All of Block 11, Plan 62M-333

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this *13th* day of *December* A.D. 1994

J. E. Holland

Acting City Clerk

Mayor

Bill No. A-2

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-05

TO INCORPORATE BLOCK 30, PLAN 62M-733 INTO TERNI BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Terni Boulevard by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Terni Boulevard.

All of Block 30, Plan 62M-733

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 13th day of December A.D. 1994

D. E. Hollowell

Acting City Clerk

Mayor

Bill No. A-3

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 - 06

TO INCORPORATE PART 1, PLAN 62R-6555 INTO EWEN ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Ewen Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Ewen Road.

Part of Lot 55, Concession 1, in the geographic township of Ancaster, designated as Part 1, on Plan 62R-6555.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 13th day of December A.D. 1994

D. E. Udall

Acting City Clerk

Mayor

Bill No. A-4

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-07

TO INCORPORATE PARTS 4, 6, 8 AND 9, PLAN 62R-12407 INTO UPPER WELLINGTON STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Upper Wellington Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Wellington Street.

Part of Lot 7, Concession 1, in the geographic township of Glanford, designated as Parts 4, 6, 8 and 9, on Plan 62R-12407.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 13th day of December A.D. 1994

D. B. Hollowell

Acting City Clerk

Mayor

Bill No. A-5

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 - 08

TO INCORPORATE PART 2, PLAN 62R-13161 INTO JACQUELINE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Jacqueline Boulevard by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Jacqueline Boulevard.

Part of Lot 7, Concession 1, in the geographic township of Glanford, designated as Part 2, on Plan 62R-13161.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this 13th day of December A.D. 1994

D. J. McLeod

Acting City Clerk

Mayor

BILL NO. A -6

BY-LAW NO. 95- 09

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Maple	Eastbound and Westbound	Garside
Ottawa	Northbound and Southbound	Sherbrooke
Belmont	Northbound and Southbound	Roxborough
Devon	Eastbound and Westbound	Bond
Whitney	Eastbound	Bowman
Carousel	Northbound	Fieldway
Hughson	Northbound	Rebecca
Chester	Westbound	Appleblossom
Lynette	Westbound	Claudette Gate
Fairington	Northbound	Eastgate
Tara	Northbound	Summercrest
Fairfield	Northbound and Southbound	Roxborough
St. Andrews	Northbound and Southbound	Fairway".

and by deleting thereto the following item, namely:-

"Fairway	Eastbound	St. Andrews (East Leg)".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"John	West	Simcoe to 160 feet north	Anytime
John	East	Simcoe to 151 feet north	Anytime
Hunter	South	from 135 feet west of Locke to 170 feet westerly therefrom	Anytime
Lucerne	North	from 50 feet east of Holmesdale to 50 feet west of Holmesdale	Anytime".

3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	9:00 am - 5:00 pm Monday to Friday
Ruby	North	38 feet	32 feet east of Rushdale	Anytime
Nelligan	South	22 feet	231 feet east of Erin	Anytime
Oak	West	26 feet	208 feet north of Cannon	9:00 am - 8:00 pm
Charlton	North	41 feet	120 feet west of Locke	Anytime".

4. **Schedule 30 (Commercial Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"King William	South	22 feet	64 feet east of John	9:00 am - 5:00 pm Monday to Friday".

and by deleting therefrom the following item, namely:-

"Kinrade	West	36 feet	580 feet south of Barton	8:00 am - 5:00 pm Monday to Friday".

PASSED this 13th day of December A.D. 1994.

S. E. Holbrook

Acting CITY CLERK

MAYOR

BILL NO. A -7

BY-LAW NO. 95-10

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Forest	South	commencing at a point 128 feet west of John to a point 23 feet westerly therefrom	Anytime
Bold	South	commencing at a point 168 feet east of Locke to a point 22 feet easterly therefrom	Anytime
Fairfield	East	commencing at a point 38 feet north of Vansitmart to a point 27 feet northerly therefrom	Anytime
Cumberland	South	commencing at a point 48 feet east of the east curb line of Balsam to a point 158 feet westerly therefrom	Anytime
Cameron	West	commencing at a point 25 feet north of Central to a point 28 feet northerly therefrom	Anytime
Canada	North	commencing at a point 194 feet west of Locke to a point 18 feet westerly therefrom	Anytime".

and by deleting therefrom the following items, namely:-

"Stanley	North	from a point 527 feet east of Dundurn to a point 25 feet easterly therefrom	Anytime
James	West	commencing at a point 124 feet north of Macauley to a point 20 feet northerly therefrom	Anytime
Fairfield	East	commencing 368 feet north of Britannia to a point 18 feet northerly therefrom	Anytime
Peter	North	commencing at a point 316 feet west of Queen to a point 40 feet westerly therefrom	Anytime
Dunsmure	South	commencing 78 feet west of Glassco to a point 20 feet westerly therefrom	Anytime
Dunsmure	North	commencing 85 feet west of Glassco to a point 20 feet westerly therefrom	Anytime".

2. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting therefrom the following items, namely:-

"Crockett	Both	East 34th to East 35th	3 hr	8 am - 5 pm	Mon - Fri
Avondale	Both	Beach Rd to Gertrude	3 hr	8 am - 8 pm	Mon - Fri
Grosvenor	Both	Campbell to 80 ft. south	3 hr	8 am - 6 pm	Mon - Sat
Whitney	South	from 117 feet west of Mericourt to 137 feet westerly	1 hr	8 am - 11 pm	Mon - Sat".

and by adding thereto the following items, namely:-

"Mary	West	Wilson to 278 feet north	1 hr	Anytime	
West 3rd	Both	Richwill to southerly end (including the bulb of the Court)	1 hr	8 am - 6 pm	Mon - Fri
Crockett	North	East 34th to East 35th	3 hr	8 am - 5 pm	Mon - Fri
Crockett	South	East 35th to 118 feet west	3 hr	8 am - 5 pm	Mon - Fri
Queensdale	North	West 2nd to 68 feet west of Upper James	1 hr	8 am - 4 pm	Mon - Fri
Grenfell	South	Holly to Benson	1 hr	8 am - 6 pm	Mon - Fri
Leslie	Both	West 33rd to West 34th	1 hr	8 am - 6 pm	Mon - Fri
Whitney	South	from 108 feet west of Mericourt to 170 feet westerly	1 hr	8 am - 11 pm	Mon - Sat".

3. **Schedule 26 (No Parking Areas)** is hereby amended by deleting therefrom the following items, namely:-

a)	"David	East	from a point 87 ft. south of Southbend to Crestwood	Anytime	
	Forest	North	John to East End	1 pm - 4 pm	2nd Thurs each month APR - NOV
	Mary	West	King William to Cannon	Anytime	
	Whitney	South & West	Mericourt to Main (D)	Anytime	
	Whitney	North & East (D)	Mericourt to 410 ft. west	Anytime	
	Whitney	South	commencing 117 feet west of Mericourt to a point 25 feet westerly therefrom	6 pm - 8 am	Mon - Sat
	Whitney	South	From 254 ft. west of Mericourt to Main	Anytime".	

and by adding thereto the following items, namely:-

"David	East	Crestwood to 68 feet north	Anytime	
Angus	North	Quigley to Selway	Anytime	
Forest	North	Wellington to the west curb line of Aurora	Anytime	
Leslie/ West 23rd	North & East	commencing at a point 118 feet east of Price to the north property line of No. 83 West 23rd	Anytime	
Kings Forest	West	Nova to 88 feet north	Anytime	
Forest	North	John to west curb line of Aurora	1 pm - 4 pm	2nd Thurs each month APR - NOV

Schedule 26 (No Parking Areas) - Cont'd

Mary	East	Wilson to Kelly	Anytime	
Mary	West	King William to Wilson	Anytime	
Spring	East	commencing at a point 123 feet north of Main to a point 30 feet northerly therefrom	Anytime	
Newlands	South	Kenilworth to 185 feet west	Anytime	
Robinson	North	commencing at a point 115 feet west of James to a point 31 feet westerly therefrom	Anytime	
Dunsmure	South	Walter to Adeline	Anytime	
Whitney	South	commencing 108 feet west of Mericourt to a point 25 feet westerly therefrom	6 pm - 8 am	Mon - Sat
Whitney	South	From 178 feet west of Mericourt to Main	Anytime".	

b) and by deleting from **Sub-section A (Loading Zones)** the following item, namely:-

"Robinson	North	20 ft.	96 ft. west of James	Anytime
Roxborough	North	36 ft.	30 ft. west of Kenilworth	Anytime".

4. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Dunsmure Strathearne Avenue to Parkdale Avenue	South	North".

and by adding thereto the following items, namely:-

"Dunsmure Strathearne to Walter	South	North
Dunsmure Adeline to Parkdale	South	North".

PASSED this 13th day of December A.D. 1994.

Acting CITY CLERK

MAYOR

Bill No. C-*3*

The Corporation of the City of Hamilton

BY-LAW NO. 95-*11*

To Adopt:

THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PLAN

WHEREAS Section 1(c) of By-law No. 94-186, passed on the 8th day of November 1994, (pursuant subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13), designated the area shown on Schedule "A-2" thereto as the International Village B.I.A. Community Improvement Project Area;

AND WHEREAS it is intended to adopt a community improvement plan for the International Village B.I.A. Community Improvement Project Area in accordance with subsection 28(4) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The International Village Community Improvement Plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby adopted as the community improvement plan for the International Village B.I.A. Community Improvement Project Area.

2. It is hereby authorized and directed that the approval of the Community Improvement Plan referred to in section 1 shall include approval for the doing of all things for the purpose thereof.

3. This by-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.

PASSED this *13th* day of *December* A.D. 1994

acting CITY CLERK

MAYOR

(1994) 16 R.P.D.C. 13, November 8

1994 October

SCHEDULE "A"

THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PLAN

Purpose:

To establish a plan for the International Village Community Improvement Project Area in order to implement The Corporation of the City of Hamilton's Commercial Loan Programs.

Preface:

The following plan constitutes the corresponding Community Improvement Plan for the International Village Community Improvement Project Area which will also be designated by by-law, by Hamilton City Council.

Introduction:

The International Village Community Improvement Project Area falls within the Central Policy Area as per the City of Hamilton's Official Plan. Accordingly, the Area is to be promoted as a multi-use node by creating an attractive environment in which to live, work, do business, shop or visit. International Village is a major commercial area within the Central Policy Area. In an effort to energize and revitalize the Area, the City of Hamilton has undertaken improvements to the streetscape such as, but not limited to, interlocking brick, improved lighting, installation of benches, etc. Another important aspect of improving the visual appearance of the Area involves the upgrading of existing building fronts and interiors to not only increase the attractiveness of the Area, but also provide a tool for merchants to improve their commercial images. Since the age of the existing buildings range from ninety to sixty years old, there is a need to encourage individual owners and tenants of buildings to renovate via loans administered under the commercial loan programs.

Commercial loan program

In a Report submitted by the Public Works Department (nee Community Development Department) dated 1985 December 10 and included in its Capital Budget submission, the Planning and Development Committee approved the establishment of the Commercial Facade Loan Program. Subsequently City Council at its meeting held 1986 June 24 gave the Department of Public Works (nee Community Development) authorization to proceed with implementation of the Commercial Facade Loan Program by adopting Item 10 of the Twelfth Report for 1986 of the Planning and Development Committee. Furthermore, on 1993 January 12, City Council approved the establishment of a new commercial loan program for the upgrading of the interior of commercial buildings located within Business Improvement Areas. The funds for the new program were combined with the existing Commercial Facade Loan Program funds and the program was renamed the "Commercial Loan Program".

The International Village Business Improvement Area (B.I.A.) designated as a community improvement project area under section 28 of the Planning Act, 1990, along with this Community Improvement Plan, enables the Commercial Loan Program to be implemented. The program is designed to provide low interest loans to owners and tenants for rehabilitation and improvements to commercial properties located in (B.I.A's). A low interest loan covering 100% of the eligible exterior improvement costs to a maximum of $15,000. per municipal address is available. In addition the owner of real property may also obtain an additional $10,000. loan for interior improvements. In cases where an owner owns several properties within a B.I.A. the maximum any one owner can obtain is $45,000. for exterior, and $30,000. for interior work. Owners of businesses who do not own any real property may borrow a maximum of $2,000. for modifications or improvements.

The interest rate on the loan is one-half of the prime interest rate at the Canadian Imperial Bank of Commerce on the date the loan agreement is signed.

The loan is amortized over a maximum of 10 years and secured by a lien registered on title and/or a promissory note.

The attached Appendix "A" constitutes the Commercial Loan Program Guidelines. Appendix "B" is a map of the community improvement project area or, area of implementation.

Conclusion:

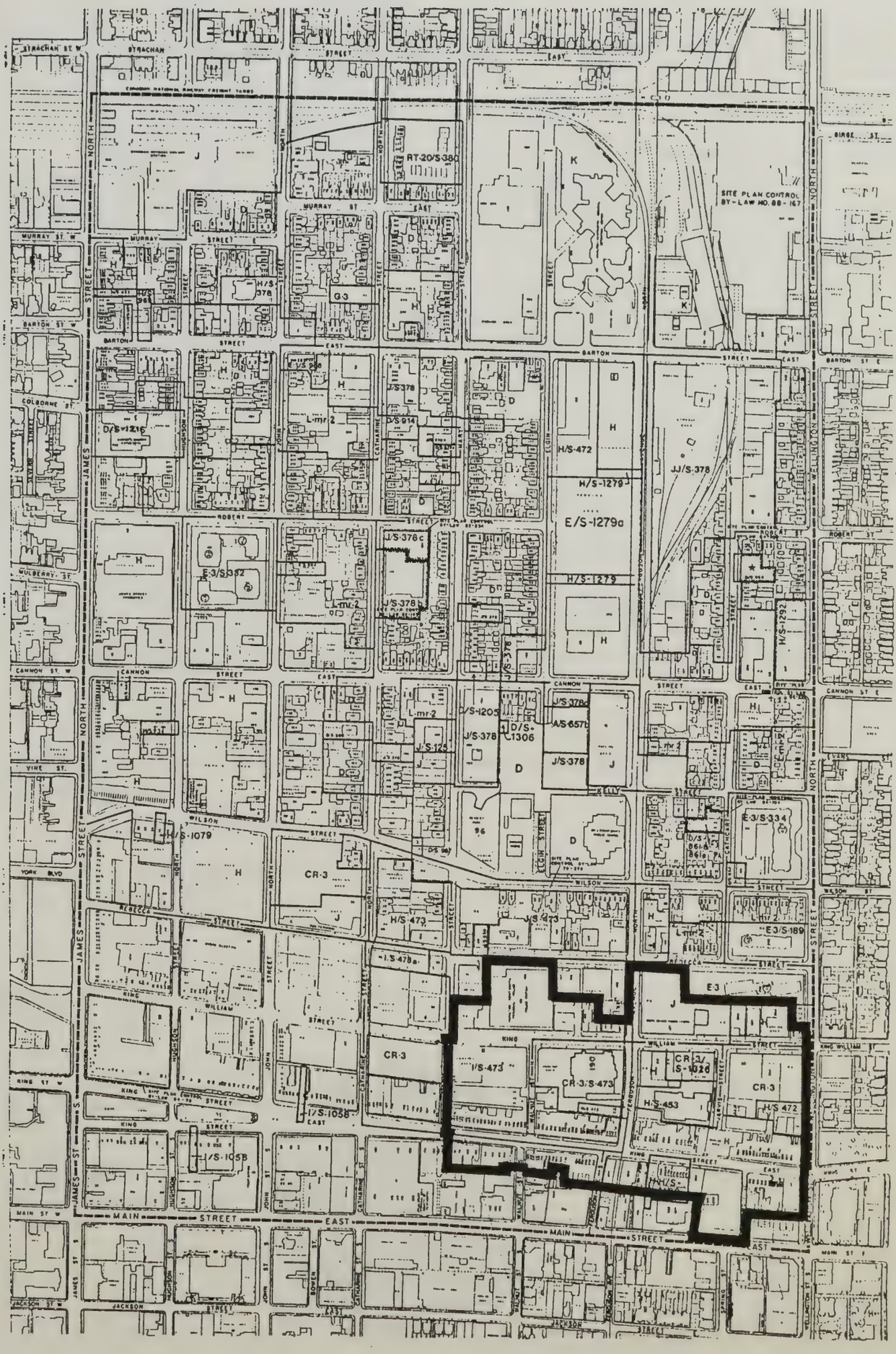
The Community Improvement Plan is intended to be action oriented, concentrating on rehabilitating or updating existing building facades and interiors, rather than large scale redevelopment.

COMMERCIAL LOAN PROGRAM

GUIDELINES

- limited to Business Improvement Areas (B.I.A.'S)
- loans at an interest rate of one-half of the City's prime borrowing rate
- maximum loan amount $15,000. per property owner for exterior improvements
- maximum loan amount of $10,000. per property owner for interior improvements
- maximum loan amount of $2,000. per business operator that does not own real property
- maximum loan any one owner of several properties within a B.I.A. can obtain is $45,000. exterior, and $30,000 interior
- loan amortized over ten years (open)
- building envelope to be inspected, including exterior shell (foundation, exterior walls, roof, fire escapes and chimneys). Any deficiencies corrected, before optional improvments determined by owner or operator.
- Improvements eligible include: re-roofing; repainting; repointing masonry or brickwork; repairing cornices and other architectural details; redesigned store fronts; removal of inappropriate signage; installation of appropriate new signage; window repair and restoration; restoration of original facade appearance; canopies and awnings; interior fixtures, including partitions; interior decorating including lighting, painting, wallpaper; "built-in" showcases, freezers, special plumbing; interior signage, etc.
- Professional fees (architects, engineers, solicitors, etc. are an eligible expense).
- Loan repaid on monthly basis. No penalty applied for full payment before the term of loan.
- Loan may be transferred to a new owner providing the new owner meets and agrees to the terms and conditions of the loan (this approval must be requested in writing and will be confirmed in writing by the City).
- Applicant must be the registered owner of the commercial property
- owners' or tenants' taxes and B.I.A. Levies must be current
- loans must be recommended by the B.I.A. Board and approved by the Planning and Development Committee and City Council
- no restrictions on demolitions except that any outstanding loans must be repaid to the municipality. Buildings that are designated under the Heritage Act may have more restrictions applied
- loan commitments are valid for one year and expire if the work is not completed within that time period
- all money collected on repayment to be placed in a recyclable account to continue program after original capital budget allocation
- unit eligibility will be based on latest revised business assessment rolls
- owner to obtain two estimates for building envelope based on inspection, and two for exterior and interior improvements (the Building Department will approve the estimates based on their inspection)
- loan application reviewed by Building Department, Loans Division with input from the B.I.A. Board, and in cases of heritage buildings, the City's Planning Department
- report sent to the Planning and Development Committee and City Council recommending approval of loan
- loan commitment provided in writing. Only at that time can work being funded commence
- progress payment may be requested and issued after inspection and confirmation work completed as per the Ontario Building Code

Appendix "B"


STRACHAN ST W
STRACHAN
STREET
EAST
RT-20/S-380
SITE PLAN CONTROL
BY-LAW NO. 88-167
MURRAY ST W
MURRAY
MURRAY ST
BARTON ST W
BARTON
BARTON ST E
COLBORNE ST
D/S-1216
H/S-378
G3
D/S-914
L-mr-2
H/S-472
H/S-1279
E/S-1279a
JJ/S-378
E-3/S-352
J/S-378c
J/S-378
H/S-1279
H/S-1292
CANNON ST W
CANNON
CANNON ST E
D/S-1205
D/S-C1306
A/S-657b
J/S-378
S-125
VINE ST
WILSON
H/S-1079
CR-3
YORK BLVD
REBECCA
H/S-473
J/S-473
E-3/S-334
E-3/S-189
I/S-478a
E-3
KING
WILLIAM
CR-3
I/S-473
CR-3/S-473
CR-3/S-1026
H/S-453
H/S-472
I/S-1058
I/S-1058
KING ST W
KING ST E
JAMES
NORTH
MAIN ST W
MAIN
STREET
EAST
JACKSON ST W
JACKSON
JACKSON ST E

Bill No. C- 4

The Corporation of the City of Hamilton

BY-LAW NO. 95- 12

To Adopt:

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

WHEREAS Section 1(b) of By-law No. 94-186, passed on the 8th day of November 1994, (pursuant to subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13), designated the area shown on Schedule "A-1" thereto as the Downtown Hamilton B.I.A. Community Improvement Project Area;

AND WHEREAS it is intended to adopt a community improvement plan for the Downtown Hamilton B.I.A. Community Improvement Project Area in accordance with subsection 28(4) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Downtown Hamilton Community Improvement Plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby adopted as the community improvement plan for the Downtown Hamilton B.I.A. Community Improvement Project Area.

2. It is hereby authorized and directed that the approval of the Community Improvement Plan referred to in section 1 shall include approval for the doing of all things for the purpose thereof.

3. This by-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.

PASSED this 13th day of December A.D. 1994

S. E. Bolland

Acting CITY CLERK

MAYOR

(1994) 16 R.P.D.C. 14, November 8

1994 October

SCHEDULE "A"

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

Purpose:

To establish a plan for the Downtown Hamilton Community Improvement Project Area in order to implement The Corporation of the City of Hamilton's commercial loan programs.

Preface:

The following plan constitutes the corresponding Community Improvement Plan for the Downtown Hamilton Community Improvement Project Area which will also be designated by By-law, by Hamilton City Council.

Introduction:

The Downtown Hamilton Community Improvement Project Area falls within the Central Policy Area as per the City of Hamilton's Official Plan. Accordingly, the Area is to be promoted as a multi-use node by creating an attractive environment in which to live, work, do business, shop or visit. Downtown Hamilton is a major commercial area within the Central Policy Area. In an effort to energize and revitalize the Area, the City of Hamilton has undertaken improvements to the streetscape such as, but not limited to, interlocking brick, improved lighting, installation of benches, etc. Another important aspect of improving the visual appearance of the Area involves the upgrading of existing building fronts and interiors to not only increase the attractiveness of the Area, but also provide a tool for merchants to improve their commercial images. Since the age of the existing buildings range from one hundred and thirty years old to seventy years old, there is a need to encourage individual owners and tenants of buildings to renovate via loans administered under the commercial loan programs.

Commercial loan program

In a Report submitted by the Public Works Department (nee Community Development Department) dated 1985 December 10 and included in its Capital Budget submission, the Planning and Development Committee approved the establishment of the Commercial Facade Loan Program. Subsequently City Council at its meeting held 1986 June 24 gave the Department of Public Works (nee Community Development) authorization to proceed with implementation of the Commercial Facade Loan Program by adopting Item 10 of the Twelfth report for 1986 of the Planning and Development Committee. Furthermore, on 1993 January 12, City Council approved the establishment of a new commercial loan program for the upgrading of the interior of commercial buildings located within Business Improvement Areas. The funds for the new program were combined with the existing Commercial Facade Loan Program funds and the program was renamed the "Commercial Loan Program".

The Downtown Hamilton Business Improvement Area (B.I.A.) designated as a community improvement project area under section 28 of the Planning Act, 1990, along with this Community Improvement Plan, enables the Commercial Loan Program to be implemented. The program is designed to provide low interest loans to owners and tenants for rehabilitation and improvements to commercial properties located in (B.I.A's). A low interest loan covering 100% of the eligible exterior improvement costs to a maximum of $15,000. per municipal address is available. In addition the owner of real property may also obtain an additional $10,000. loan for interior improvements. In cases where an owner owns several properties within a B.I.A., the maximum any one owner can obtain is $45,000. for exterior, and $30,000. for interior work. Owners of businesses who do not own any real property may borrow a maximum of $2,000. for modifications or improvements.

The interest rate on the loan is one-half of the prime interest rate at the Canadian Imperial Bank of Commerce on the date the loan agreement is signed.

The loan is amortized over a maximum of 10 years and secured by a lien registered on title and/or a promissory note.

The attached Appendix "A" constitutes the Commercial Loan Program Guidelines. Appendix "B" is a map of the community improvement project area or, area of implementation.

Conclusion:

The Community Improvement Plan is intended to be action oriented, concentrating on rehabilitating or updating existing building facades and interiors, rather than large scale redevelopment.

COMMERCIAL LOAN PROGRAM

GUIDELINES

- limited to Business Improvement Areas (B.I.A.'S)
- loans at an interest rate of one-half of the City's prime borrowing rate
- maximum loan amount $15,000. per property owner for exterior improvements
- maximum loan amount of $10,000. per property owner for interior improvements
- maximum loan amount of $2,000. per business operator that does not own real property
- maximum loan any one owner of several properties within a B.I.A. can obtain is $45,000. exterior, and $30,000 interior
- loan amortized over ten years (open)
- building envelope to be inspected, including exterior shell (foundation, exterior walls, roof, fire escapes and chimneys). Any deficiencies corrected, before optional improvements determined by owner or operator.
- Improvements eligible include: re-roofing; repainting; repointing masonry or brickwork; repairing cornices and other architectural details; redesigned store fronts; removal of inappropriate signage; installation of appropriate new signage; window repair and restoration; restoration of original facade appearance; canopies and awnings; interior fixtures, including partitions; interior decorating including lighting, painting, wallpaper; "built-in" showcases, freezers, special plumbing; interior signage, etc.
- Professional fees (architects, engineers, solicitors, etc. are an eligible expense)
- loan repaid on monthly basis. No penalty applied for full payment before the term of loan.
- Loan may be transferred to a new owner providing the new owner meets and agrees to the terms and conditions of the loan (this approval must be requested in writing and will be confirmed in writing by the City).
- Applicant must be the registered owner of the commercial property
- owners' or tenants' taxes and B.I.A. Levies must be current
- loans must be recommended by the B.I.A. Board and approved by the Planning and Development Committee and City Council
- no restrictions on demolitions except that any outstanding loans must be repaid to the municipality. Buildings that are designated under the Heritage Act may have more restrictions applied
- loan commitments are valid for one year and expire if the work is not completed within that time period
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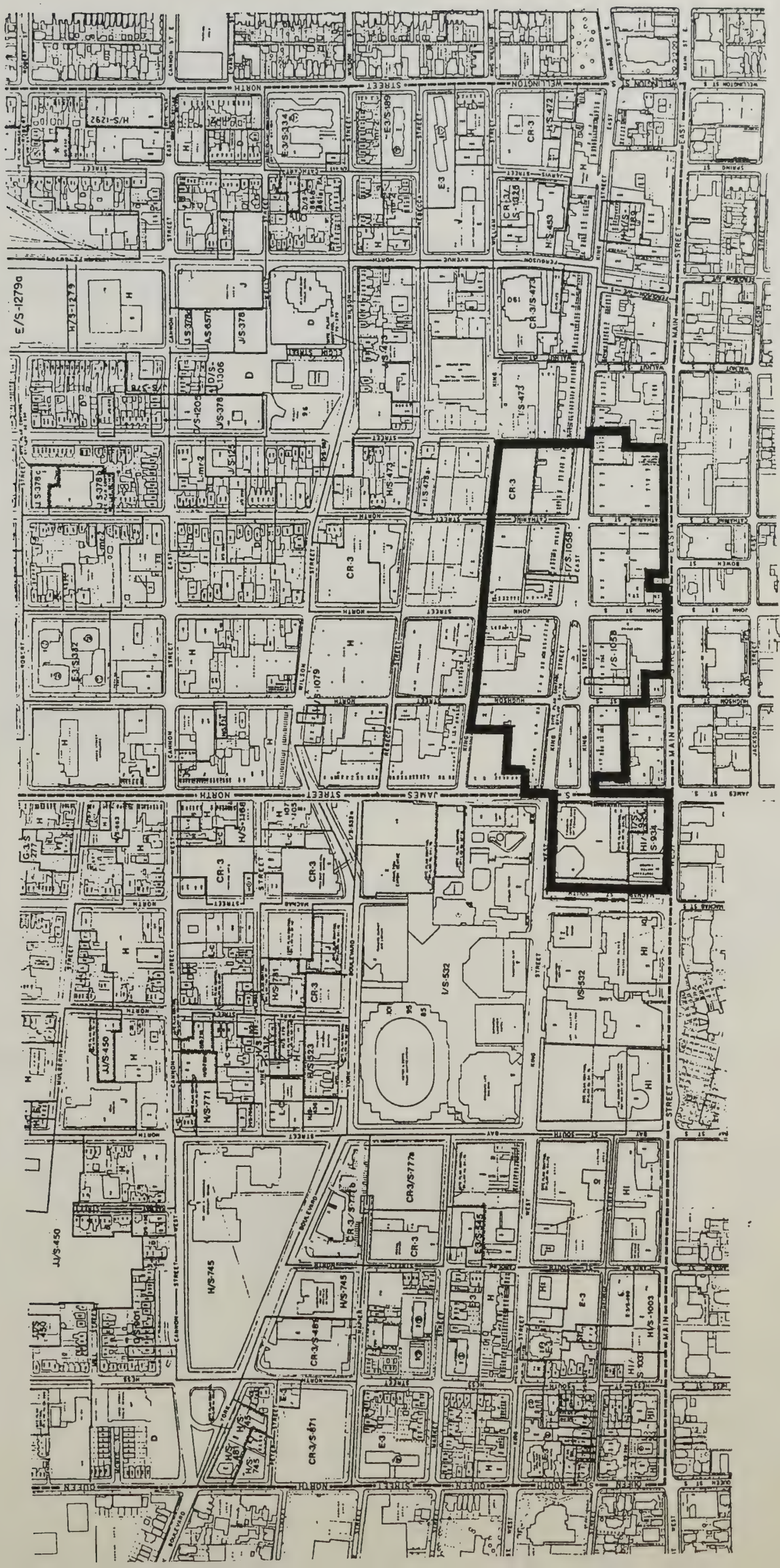
- unit eligibility will be based on latest revised business assessment rolls
- owner to obtain two estimates for building envelope based on inspection, and two for exterior and interior improvements (the Building Department will approve the estimates based on their inspection)
- loan application reviewed by Building Department, Loans Division with input from the B.I.A. Board, and in cases of heritage buildings, the City's Planning Department
- report sent to the Planning and Development Committee and City Council recommending approval of loan
- loan commitment provided in writing. Only at that time can work being funded commence
- progress payment may be requested and issued after inspection and confirmation work completed as per the Ontario Building Code

Appendix "B"


JAMES STREET NORTH
MAIN STREET EAST
CR-3
H/S-1038
H/S-1039
H/S-1079
H/S-1066
H/S-532
H/S-523
H/S-771
H/S-745
CR-3/S-485
CR-3/S-671
CR-3/S-777a
E-3/S-336
H/S-1003
JV/S-450

Bill No. C-5

The Corporation of the City of Hamilton

BY-LAW NO. 95- 13

To Designate:

LAND LOCATED AT MUNICIPAL NO. 130 (120) BAY STREET SOUTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 130 (120) Bay Street South and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

   (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

   (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this 13th day of December A.D. 1994

D. E. Wedd

Acting CITY CLERK

MAYOR

(1994) 11 R.P.D.C. 10, July 26

Schedule "A"

To

By-law No. 9

130 (120) Bay Street South, Hamilton, Ontario

FIRSTLY

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being Lots 1 and 2 according to a Plan of Survey made by Thomas Allan Blyth, P.L.S., for Helen Rae, registered in the Registry Office for the Registry Division of Wentworth as Plan Number 66, being a subdivision of Lots 18, 19, 20, 21 and 22, fronting on Hunter Street, in the block bounded by Bay, Hunter, Caroline and Bold Streets, according to George S. Tiffany's Survey of Lots in the said City of Hamilton.

SECONDLY

All and singular that certain parcel or tract of land and premises situate, lying and being in the said City of Hamilton, and being composed of part of the easterly half of lot 3 on the south side of Hunter Street between Bay and Caroline Streets, according to Helen Rae's Survey, registered in the Registry Office for the Registry Division of Wentworth as Plan Number 66, and more particularly described as follows:

Commencing at a post planted on the south side of Hunter Street at the distance of 28 feet, 4-3/4 inches more or less from the north west corner of said Lot.

Thence southerly in a straight line through the middle of the party wall between the two brick houses on said Lot, 71 feet more or less to a point 15 feet south of the end of said party or partition wall (hereinafter called the partition wall).

Thence westerly parallel with Hunter Street, 1 foot more or less to a point at the centre (or on the middle line) of said Lot.

Thence southerly along the middle line of said Lot, 58 feet, 9 inches more or less to the southerly boundary of said Lot.

Thence easterly along said southerly boundary, 27 feet, 4-3/4 inches more or less to the south east corner of said Lot.

Thence northerly along the eastern boundary thereof, 129 feet, 9 inches more or less to Hunter Street.

Thence westerly along the southerly boundary of Hunter Street, 26 feet, 4-3/4 inches more or less to the place of beginning.

SAVING AND EXCEPTING THEREOUT AND THEREFROM the following lands:
All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of parts of Lots Numbers 2 and 3 on the south side of Hunter Street between Bay and Caroline Streets, and being on a plan of survey known as Helen Rae, registered in the Registry Office for the Registry Division of Wentworth as Plan Number 66, and which may be more particularly described as follows, that is to say,

Commencing where an iron bar has been planted in the southern limit of Hunter Street where the said limit is intersected by the production northerly of the centre line of the dividing wall between the brick house erected on the herein described parcel of land and known as Number 117 Hunter Street West and the brick house erected on the lands adjoining on the west and known as Number 119 Hunter Street West, the said iron bar being distant 135 feet, 6-3/4 inches measured westerly along the southern limit of Hunter Street from the western limit of Bay Street as shown on the said Registered Plan Number 66.

Thence southerly to and along the said centre line of the said dividing wall, 55 feet, 5-1/2 inches more or less to a point in the southern face of the southern wall of the main portion of the aforesaid brick house known as Number 117 Hunter Street West, the said point being distant 136 feet, 11-1/2 inches measured westerly parallel with the southern limit of Hunter Street from the western limit of Bay Street.

Thence westerly along the southern face of the southern wall of the aforementioned brick house known as Number 117 Hunter Street West, 2-1/2 inches to a point in the centre line of a brick wall dividing the brick additions erected in the rear of brick houses Numbers 117 and 119 Hunter Street West.

Thence southerly along the centre line of the last mentioned dividing wall, 13 feet, 9-1/2 inches more or less to a point in the centre line of the northern wall of the brick St. Mark's Church Sunday School building erected on the lands adjoining the herein described parcel of land on the south, the said point being distant 137 feet, 1 inch measured westerly parallel with Hunter Street from the western limit of Bay Street.

Thence easterly along the centre line of the aforesaid northern wall of St. Mark's Church Sunday School, and being parallel with the southern limit of Hunter Street, 13 feet, 8 inches more or less to a point in the production southerly of the easterly face of the brick addition erected in the rear of the aforementioned brick house known as Number 117 Hunter Street West.

Thence northerly along the said production of the easterly face of the last mentioned brick addition, 4-1/2 inches to the northern face of the northern wall of the St. Mark's Church Sunday School building herein mentioned, the said point being distant 68 feet, 10-1/2 inches measured southerly parallel with the western limit of Bay Street from the southern limit of Hunter Street, and being also distant 123 feet, 5 inches measured westerly parallel with Hunter Street from the western limit of Bay Street.

Thence easterly along the northern face of the northern wall of the aforementioned St. Mark's Sunday School, and being parallel with the southern limit of Hunter Street, 16 feet, 4 inches more or less to a point which is distant 107 feet, 1 inch measured westerly parallel with the southern limit of Hunter Street from the western limit of Bay Street.

Thence north-easterly in a straight line, 3 feet, 9 inches more or less to a point which is distant 66 feet measured southerly parallel with the herein firstly described course from the southern limit of Hunter Street, and being also distant 104 feet, 6-3/4 inches measured westerly parallel with Hunter Street from the western limit of Bay Street.

Thence northerly parallel with the herein firstly described course, 66 feet more or less to a point in the southern limit of Hunter Street.

Thence westerly along the southern limit of Hunter Street, 32 feet, 8 inches more or less to the place of beginning. On the above described parcel of land is erected brick house number 117 Hunter Street West.

PREVIOUSLY DESCRIBED IN INSTRUMENT NUMBER 494780 C.D.

Schedule "B"

to

By-law No.

Former St. Mark's Anglican Church

130 (120) Bay Street South, Hamilton

In 1877, construction of St. Mark's Anglican Church began at the southwest corner of Bay Street South and Hunter Street West. By January 1878, the church had its first service. Subsequently, a corner bell tower was erected on its Bay Street facade and, in 1925, the Sunday school was added to the west end of the sanctuary. The grounds in front of St. Mark's traditionally have been landscaped, creating a park-like setting for the church.

Context

In today's setting of high-rise apartment towers to the north, west and south, the St. Mark's property provides a welcome contrast with its open space and low-rise building. Situated across from the public grounds of Central School and City Hall, the church's front garden serves as an attractive amenity for the surrounding neighbourhood.

Architectural Significance

The church and Sunday school together create a single storey, L-shaped structure with an attached three-storey tower. It is the fifth Anglican church to be erected in Hamilton and the first to be constructed in brick. As originally built in 1878, St Mark's was a typical parish church building, designed in the vernacular Gothic Revival tradition. Characteristic of this late 19th-century version is the rectangular, one-storey, brick structure with gable roof, buttresses, belfry, and pointed arched windows. St. Mark's Church is distinguished in the use of brick corbelling and sets of triple arched windows which formerly contained stained glass. A bell tower, built later, adds a strong architectural feature to the east facade, while the gothic Sunday school and entrance porch of 1925 blend harmoniously with the original design of the church.

Historical Significance

The parish of St. Mark's was founded in 1877 by The Reverend R.G. Sutherland as the first "free pew" Anglican church in the city. St. Mark's is said to be the first Anglican church in Hamilton to introduce "advanced ritual" or high church service, daily service, Gregorian music, as well as many other innovations. After over a hundred years of serving the Anglican community, the church was closed and disestablished in 1989.

Designated Features

Of particular importance to the preservation of the former St. Mark's Church are the original features of the east, north, and south facades; the original window openings and doors; the Sunday School addition; the bell tower and the entrance porch. Also important to the site is the retention of the open green space which provides the church with an unique setting among the city's downtown churches.

Bill No. C-6

The Corporation of the City of Hamilton

BY-LAW NO. 95- 14

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1367 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "**C**" (Urban Protected Residential, etc.) District to "**HH**" (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "**HH**" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding Section 14A.(3)(a) of By-law No. 6593, a front yard of a depth of not less than 24.0 m (80 ft.) shall be provided and maintained along the entire westerly lot line;

(b) Section 14A.(3)(c) of By-law No. 6593, shall not apply;

(c) a minimum 3.0 m (10 ft.) wide landscape area shall be provided and maintained along the entire westerly lot line, except any area used for the vehicular access;

(d) a minimum 1.2 m (4 ft.) wide planting strip, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly lot line, abutting a residential use.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1321.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1321.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

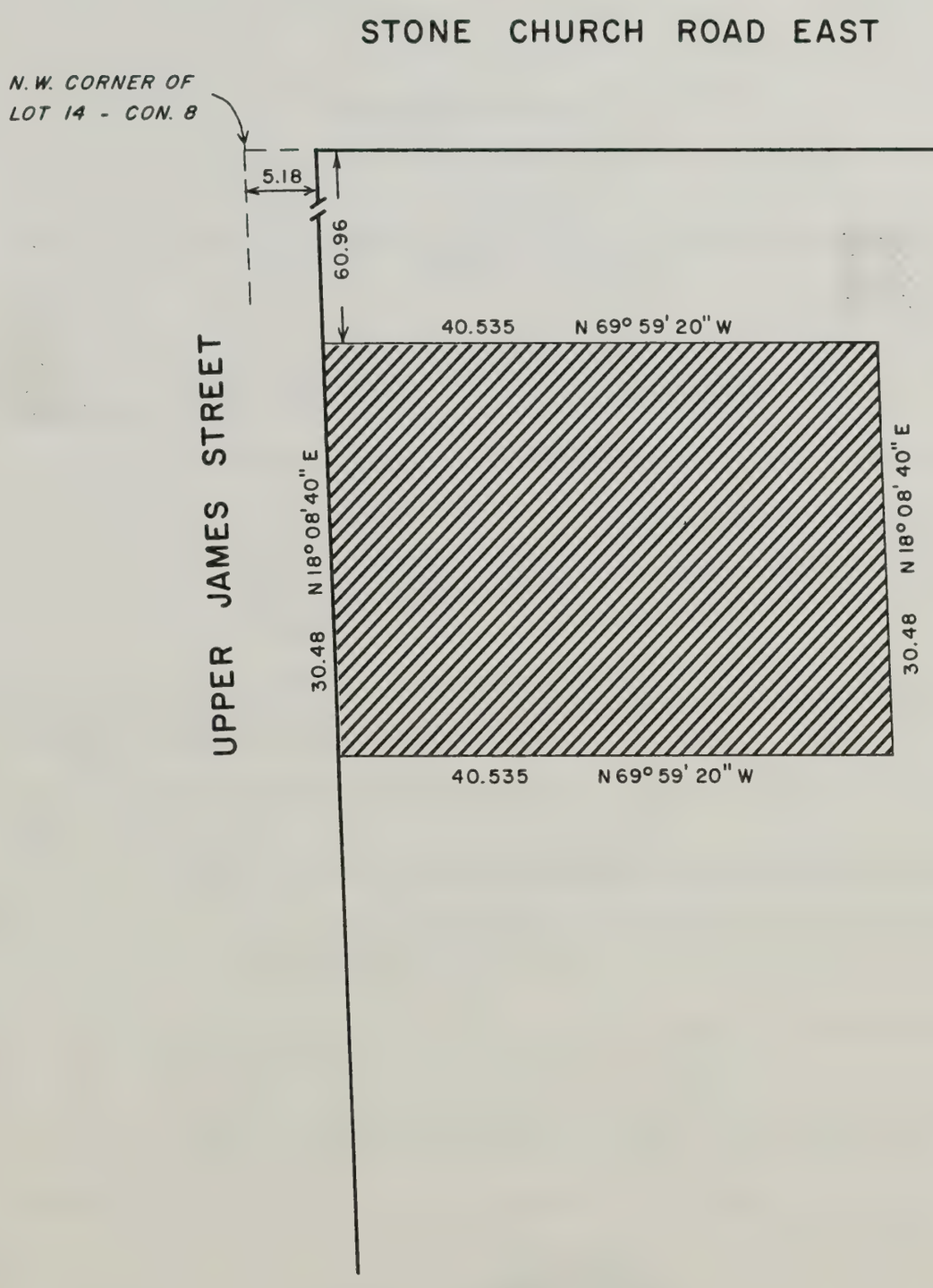
PASSED this *13th* day of *December* A.D. 1994

D. E. Wollcott

Acting CITY CLERK

MAYOR

(1993) 18 R.P.D.C. 3, November 30
(1994) 15 R.P.D.C. 2, October 25
Diana Marie Hubbard and Edith Held, Owners
Amended ZAC-93-16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-14.
Passed the 13th day of December, 1994.

D. P. Hollowell
Acting Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-14

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-93-16
	Date	Drawn By
	NOVEMBER 1993	Z.K.

Bill No. C-7

The Corporation of the City of Hamilton

BY-LAW NO. 95-15

To Remove
Land within the Claudette Gardens, Phase 5 Subdivision, Plan 62M-760
from Part Lot Control

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

(7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

   Lot 1, Lot 2, Lots 4-13, inclusive, Lots 19-28, inclusive, and Lots 30 and 31, within Registered Plan Number 62M-760, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law is subject to the approval of the Council of The Regional Municipality of Hamilton-Wentworth.

   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED 13th this day of December A.D. 1994.

D. J. Hollowell

Acting **CITY CLERK**

MAYOR

This Bylaw is approved pursuant to section 50(7),the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this day of 1994.

Commissioner of Planning and Development of
The Regional Municipality of Hamilton-Wentworth

Bill No. C-8

The Corporation of the City of Hamilton

BY-LAW NO. 95- 16

To Amend:

Zoning By-law No. 6593
As Amended By By-laws No. 82-53 and 83-54

Respecting:

LANDS LOCATED AT

337 AND 363 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 82-53 on the 9th day of March, 1982 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "DE" District, in respect of the land located at Municipal No. 337 Stone Church Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 13th day of July 1982, (File No. R 821114);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-54 on the 8th day of February, 1983 to replace Schedule "A" to By-law No. 82-53, which by-law was approved by the Ontario Municipal Board by Order dated the 23rd day of February 1983, (File No. R 821114);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 15th Report of the Planning and Development Committee at its meeting held on the 25th day of October 1994, recommended that Zoning By-law No. 6593, as amended by By-laws No. 82-53 and 83-54 be further amended to change the zoning of the above-captioned land, and to replace Schedule "A" to By-law No. 82-53, as amended by By-law No. 83-54, to include a new Schedule "A" incorporating Blocks "2" and "3", and deleting Block "4";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing Block "1" from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

(b) by changing Blocks "2" and "3" from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified; and,

(c) by changing Block "4" from "DE" (Low Density Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District;

the extent and boundaries of each of which Blocks "1", "2", "3" and "4" are shown on a plan hereto annexed as Schedule "A".

2. Schedule "A" to By-law No. 83-54, is hereby revoked and Schedule "B" annexed hereto and forming part of this by-law is substituted therefor as the new Schedule "A".

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-787a;

4. Sheet No. E-18C of the District Maps is amended by marking the lands shown on Schedule "B" of this by-law, S-787a;

5. In all other respects, By-law No. 82-53, as amended by By-law No. 83-54 is hereby confirmed, unchanged.

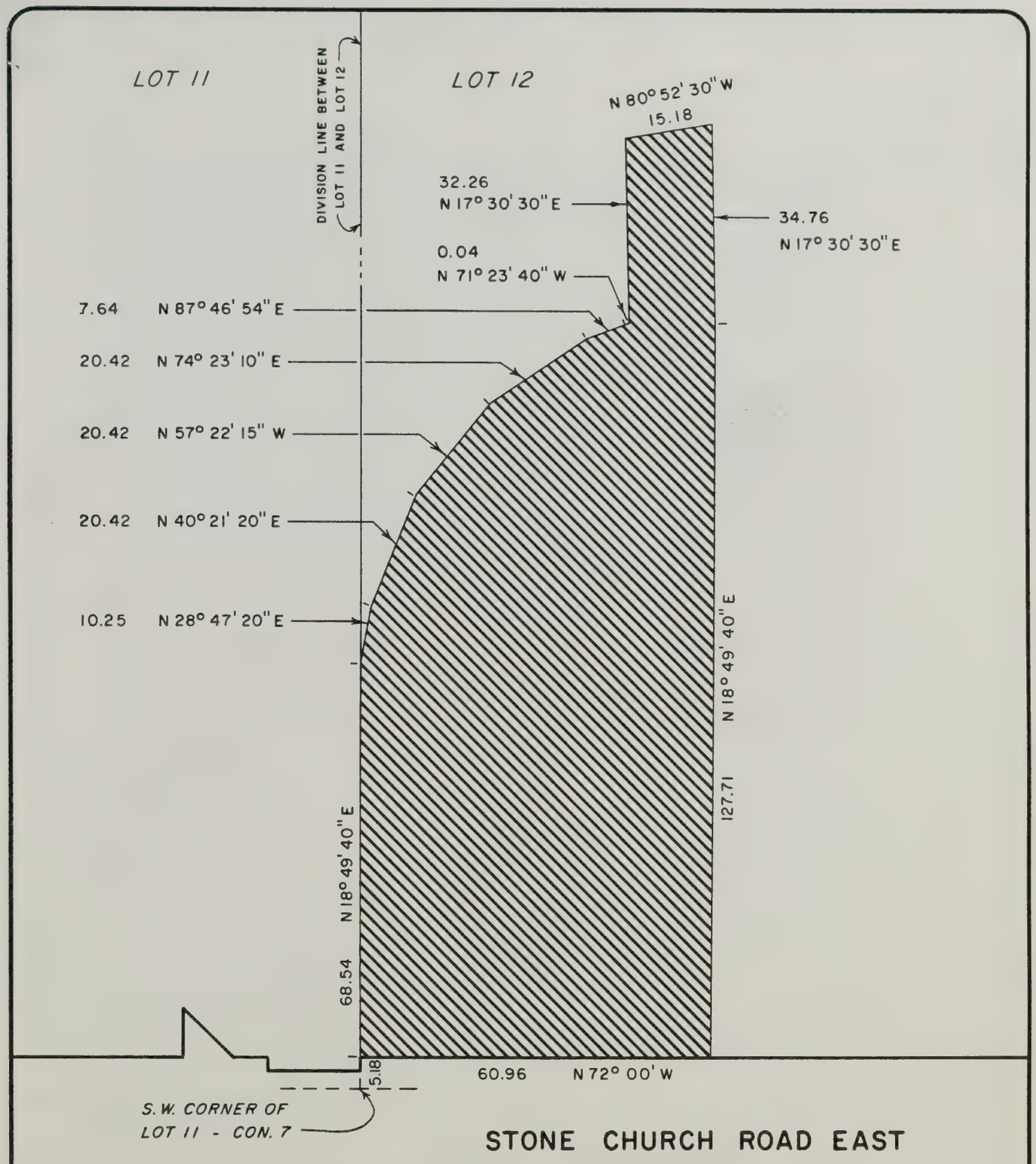
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *13th* day of *December* A.D. 1994

Acting CITY CLERK

MAYOR

(1994) 15 R.P.D.C. 1, October 25
Timothy Canadian Reformed Society
of Hamilton, Owner
ZA-94-02



NOTE: All dimensions are in metres

This is Schedule "B" to By-Law No. 95-16...
Passed the 13th. day of December, 1994.

Acting Clerk

Mayor

City of Hamilton

Schedule B

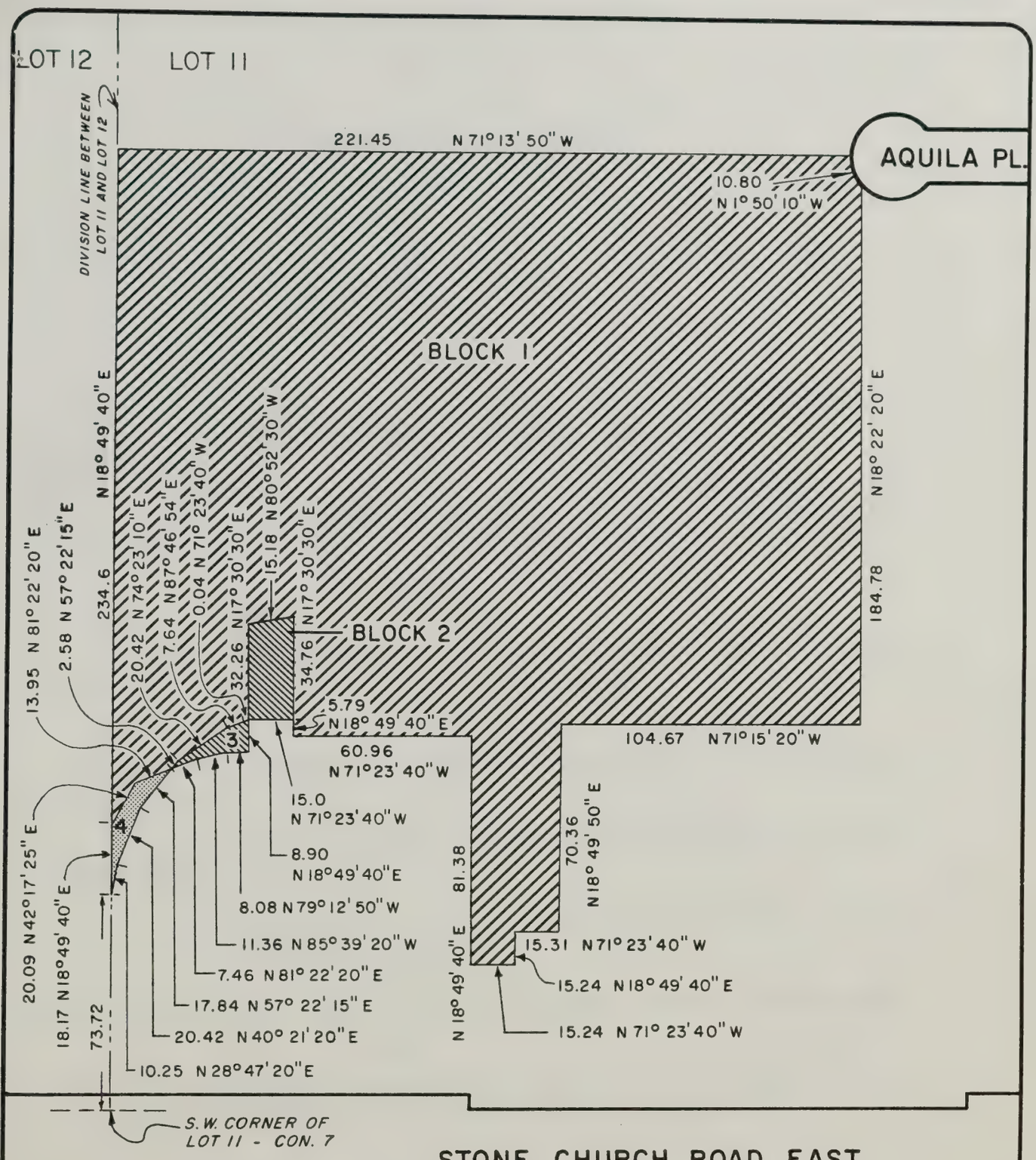
Map Forming Part of
By-Law No. 95-16...
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Revised Schedule "A" to By-Law No. 82-53 as Amended by By-Law No. 83-54

North	Scale	Reference File No.
	Not to Scale	ZAR-94-25
	Date	Drawn By
	NOVEMBER 1994	Z.K.



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95 -16-
Passed the 13th day of December , 1994.

S. J. Wellwood
Acting Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95--16--
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

BLOCK 1 — "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

BLKS. 2 & 3 — "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified.

BLOCK 4 — "DE" (Low Density Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-02
	Date	Drawn By
	OCTOBER 1994	Z.K.

Bill No. C-9

The Corporation of the City of Hamilton

BY-LAW NO. 95- 17

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED SOUTH OF TOWERCREST DRIVE, BETWEEN UPPER WELLINGTON STREET AND COLIN CRESCENT

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extend and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

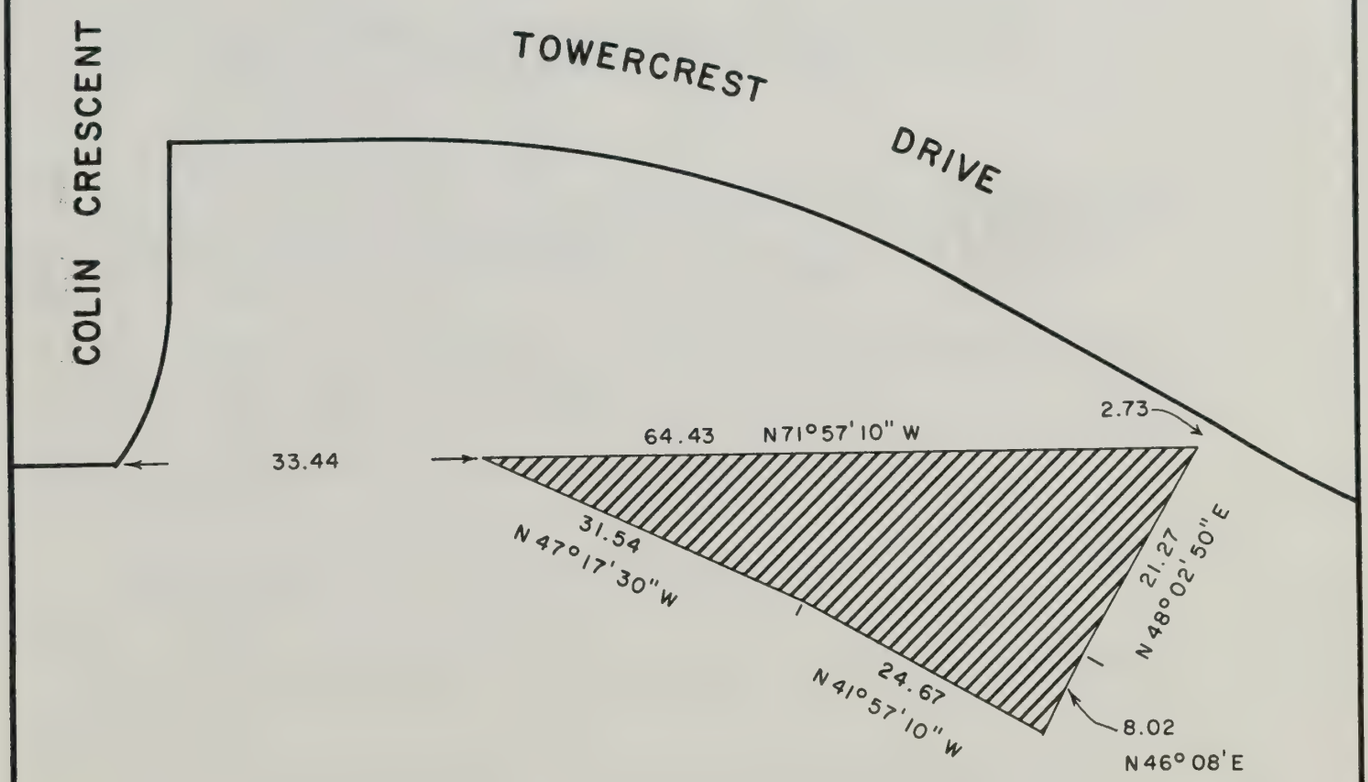
PASSED this 13th day of December A.D. 1994.

A. T. Hollwell

Acting CITY CLERK

MAYOR

(1994) 16 R.P.D.C 1, November 8
Primecan Holdings Inc., Prospective Owner
ZAC-94-20



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-17
Passed the 13th day of December, 1994.

P. J. Wollard
Acting Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-17
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"AA" (Agricultural) District to
"C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-20
	Date	Drawn By
	NOVEMBER 1994	Z.K.

Bill No. D-2

The Corporation of the City of Hamilton

BY-LAW NO. 95- 18

To Authorize:

CENTRAL UTILITIES PLANT TRIGENERATION PROJECT and ADDITIONAL SIDEWALK RECONSTRUCTION PROJECT

WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 1 of the Fourth Report of the Committee of the Whole on March 29, 1994 and Item 1 of the Ninth Report of the Committee of the Whole on August 30, 1994, authorized the projects appearing in Schedule "A" to this By-law, conditional on the approval of the projects as Infrastructure Program Projects;

AND WHEREAS the projects listed in Schedule "A" have received Infrastructure Program Project approval;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The projects listed in Schedule "A" attach to and form part of the By-law and are hereby approved.

2. The City Treasurer is authorized to arrange the issuance of the necessary debentures to a maximum of $2,185,472 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City.

3. The Proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 13th day of December 1994

A. T. Wellwood

Acting CITY CLERK

MAYOR

(1994) 4 R.C.W. 1, March 29
(1994) 9 R.C.W. 1, August 30

SCHEDULE "A" TO BY-LAW NO. 94-

	Project	Gross Cost	Federal & Provincial Subsidies	Debenture Amount	Term of Debenture
1)	Central Utilities Plant Trigeneration	$6,064,500	$4,043,000	$2,021,500	20 years
2)	Additional Sidewalk Reconstruction	$ 491,917	$ 327,944	$ 163,973	20 years
		$6,556,417	$4,370,944	$2,185,473	

Bill No. D-3

The Corporation of the City of Hamilton

BY-LAW NO. 95- 19

To Amend By-law No. 7530

THE SICK LEAVE BY-LAW

WHEREAS By-law No. 7530 was enacted on the 26th day of April 1955 under Paragraph 49 of Section 386 of The Municipal Act, R.S.O. 1950, Chapter 243.

AND WHEREAS Section 19 of By-law No. 7530 was amended by By-law No. 69-188 on the 26th day of August 1969.

NOW THEREFORE Subparagraph (ii) of Paragraph (b) of Subsection 1 of Section 19 of By-law No. 7530 is repealed and replaced by the following:

1. (b) (ii) whose services are terminated for any reason,

PASSED this 13th day of December , 1994.

Acting CITY CLERK

MAYOR

Bill No. D-4

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-20

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date on Schedule "A" attached hereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 13th day of December A.D., 1994.

S. J. Woodall

Acting CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	2415 BARTON STREET EAST
SERIAL NUMBER	05–04810–0890
BRIEF LEGAL DESCRIPTION	CON 1 PART LOT 27
DATE OF REGISTRATION	FEBRUARY 22, 1994
INST # OF TAX ARREARS CERTIFICATE	176686
REDEMPTION DATE	FEBRUARY 22, 1995
TOTAL ARREARS	$12,600.60

PROPERTY ADDRESS	398 CONCESSION STREET
SERIAL NUMBER	07–08160–6500
BRIEF LEGAL DESCRIPTION	PART LOT 9 PLAN 291
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	178896
REDEMPTION DATE	MARCH 22,1995
TOTAL ARREARS	$28,160.47

PROPERTY ADDRESS	172 JULIAN AVENUE
SERIAL NUMBER	05–03820–8990
BRIEF LEGAL DESCRIPTION	PLAN 534 LOT 128
DATE OF REGISTRATION	DECEMBER 14, 1993
INST # OF TAX ARREARS CERTIFICATE	171834
REDEMPTION DATE	DECMBER 14, 1994
TOTAL ARREARS	$10,940.68

PROPERTY ADDRESS	1935 BRAMPTON STREET
SERIAL NUMBER	05–04010–8220
BRIEF LEGAL DESCRIPTION	PLAN 573 PART LOT 68
DATE OF REGISTRATION	DECEMBER 21, 1993
INST # OF TAX ARREARS CERTIFICATE	172487
REDEMPTION DATE	DECEMBER 21, 1994
TOTAL ARREARS	$16,587.92

PROPERTY ADDRESS	155 SUNRISE DRIVE
SERIAL NUMBER	05–04320–5730
BRIEF LEGAL DESCRIPTION	PLAN 1176 LOT 65
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	178901
REDEMPTION DATE	MARCH 22, 1995
TOTAL ARREARS	$16,318.59

PROPERTY ADDRESS	99 OWEN PLACE
SERIAL NUMBER	05–04420–5910
BRIEF LEGAL DESCRIPTION	PLAN 851 LOT 19
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	178900
REDEMPTION DATE	MARCH 22, 1995
TOTAL ARREARS	$18,214.68

PROPERTY ADDRESS	21 CRAWFORD DRIVE
SERIAL NUMBER	05–04510–6470
BRIEF LEGAL DESCRIPTION	PLAN 1249 LOT 85
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	178899
REDEMPTION DATE	MARCH 22, 1995
TOTAL ARREARS	$12,593.94

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	2806 BARTON STREET EAST
SERIAL NUMBER	05–04710–8220
BRIEF LEGAL DESCRIPTION	CON 2 PART LOT 23
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	#178897
REDEMPTION DATE	MARCH 22, 1995
TOTAL ARREARS	$35,312.61

PROPERTY ADDRESS	265 EAST 17TH STREET
SERIAL NUMBER	07–08120–4650
BRIEF LEGAL DESCRIPTION	PLAN 762 LOT 58
DATE OF REGISTRATION	DECEMBER 14, 1993
INST # OF TAX ARREARS CERTIFICATE	#171839
REDEMPTION DATE	DECEMBER 14, 1994
TOTAL ARREARS	$15,074.03

PROPERTY ADDRESS	920 BURLINGTON ST E
SERIAL NUMBER	03–02720–0880
BRIEF LEGAL DESCRIPTION	PLAN 453 LOT 6
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177904
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$6,675.68

PROPERTY ADDRESS	922 BURLINGTON ST E
SERIAL NUMBER	03–02720–0910
BRIEF LEGAL DESCRIPTION	PLAN 453 LOT 7
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177905
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$6,884.56

PROPERTY ADDRESS	10 LEEDS STREET
SERIAL NUMBER	03–02720–3860
BRIEF LEGAL DESCRIPTION	PLAN 453 LOT 379
DATE OF REGISTRATION	MARCH 14, 1994
INST # OF TAX ARREARS CERTIFICATE	#179320
REDEMPTION DATE	MARCH 14, 1995
TOTAL ARREARS	$6,571.61

PROPERTY ADDRESS	13 EAST BEND N
SERIAL NUMBER	04–02815–6610
BRIEF LEGAL DESCRIPTION	PLAN 386 PT LOT 69
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177906
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$6,479.75

PROPERTY ADDRESS	15 EAST BEND N
SERIAL NUMBER	04–02815–6640
BRIEF LEGAL DESCRIPTION	PLAN 386 PT LOT 69
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177907
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$7,022.34

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	27 MONS AVENUE
SERIAL NUMBER	04–02855–0430
BRIEF LEGAL DESCRIPTION	PLAN 374 PT LOTS 104,105,106
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177899
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$6,998.95

PROPERTY ADDRESS	935 BARTON STREET EAST
SERIAL NUMBER	04–02860–2220
BRIEF LEGAL DESCRIPTION	PLAN 414 PT LOTS 55,56,57,58,59
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177900
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$20,681.71

PROPERTY ADDRESS	15 LINCOLN STREET
SERIAL NUMBER	04–02860–3000
BRIEF LEGAL DESCRIPTION	PLAN 414 PT LOT 42,43
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177901
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$8,302.77

PROPERTY ADDRESS	1249 MAIN STREET EAST
SERIAL NUMBER	04–03125–8060
BRIEF LEGAL DESCRIPTION	PLAN 497 LOT 296
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177910
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$28,712.76

PROPERTY ADDRESS	256 WEIR STREET NORTH
SERIAL NUMBER	04–03340–8670
BRIEF LEGAL DESCRIPTION	PLAN 502 LOT 214
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177911
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$8,382.95

PROPERTY ADDRESS	48 DIVISION STREET
SERIAL NUMBER	04–03350–7110
BRIEF LEGAL DESCRIPTION	PLAN 500 LOT 126
DATE OF REGISTRATION	MARCH 8, 1994
INST # OF TAX ARREARS CERTIFICATE	#177912
REDEMPTION DATE	MARCH 8, 1995
TOTAL ARREARS	$8,539.81

PROPERTY ADDRESS	89 GARSIDE AVE SOUTH
SERIAL NUMBER	04–03420–5160
BRIEF LEGAL DESCRIPTION	PLAN 766 LOT 123
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	#178903
REDEMPTION DATE	MARCH 22, 1995
TOTAL ARREARS	$15,019.24

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	121 HUXLEY AVE S
SERIAL NUMBER	04–03060–2980
BRIEF LEGAL DESCRIPTION	PLAN 512 LOT 104
DATE OF REGISTRATION	DECEMBER 14, 1993
INST # OF TAX ARREARS CERTIFICATE	#171831
REDEMPTION DATE	DECEMBER 14, 1994
TOTAL ARREARS	$11,443.97

PROPERTY ADDRESS	124 OTTAWA ST NORTH
SERIAL NUMBER	04–03110–0280
BRIEF LEGAL DESCRIPTION	PLAN 497 PT LOT 38,39
DATE OF REGISTRATION	DECEMBER 21, 1993
INST # OF TAX ARREARS CERTIFICATE	#172482
REDEMPTION DATE	DECEMBER 21, 1994
TOTAL ARREARS	$18,061.90

PROPERTY ADDRESS	111 MACNAB ST SOUTH
SERIAL NUMBER	02–01390–0850
BRIEF LEGAL DESCRIPTION	PLAN 1270 PT LOT 10
DATE OF REGISTRATION	JANAURY 10, 1994
INST # OF TAX ARREARS CERTIFICATE	#173454
REDEMPTION DATE	JANAURY 10, 1995
TOTAL ARREARS	$13,821.84

PROPERTY ADDRESS	244 JAMES ST SOUTH
SERIAL NUMBER	02–01390–5850
BRIEF LEGAL DESCRIPTION	PLAN 1270 PT LOT 53,54
DATE OF REGISTRATION	DECEMBER 14, 1993
INST # OF TAX ARREARS CERTIFICATE	#171836
REDEMPTION DATE	DECEMBER 14, 1994
TOTAL ARREARS	$20,085.67

PROPERTY ADDRESS	154 CATHARINE ST SOUTH
SERIAL NUMBER	02–01430–0460
BRIEF LEGAL DESCRIPTION	PLAN 1431 PT LOT 161
DATE OF REGISTRATION	DECEMBER 21, 1993
INST # OF TAX ARREARS CERTIFICATE	#172485
REDEMPTION DATE	DECEMBER 21, 1994
TOTAL ARREARS	$29,174.51

PROPERTY ADDRESS	457 WELLINGTON ST NORTH
SERIAL NUMBER	02–01710–9200
BRIEF LEGAL DESCRIPTION	PLAN 82 PT LOT 12,13
DATE OF REGISTRATION	JANAURY 10, 1994
INST # OF TAX ARREARS CERTIFICATE	#173459
REDEMPTION DATE	JANAURY 10, 1995
TOTAL ARREARS	$5,010.29

PROPERTY ADDRESS	350 FERGUSON AVE NORTH
SERIAL NUMBER	02–01820–0050
BRIEF LEGAL DESCRIPTION	PLAN 89 LOTS 1,2,3,4,ET AL
DATE OF REGISTRATION	DECEMBER 21, 1993
INST # OF TAX ARREARS CERTIFICATE	#172486
REDEMPTION DATE	DECEMBER 21, 1994
TOTAL ARREARS	$18,805.92

SCHEDULE "A"

EXTENSION AGREEMENTS

PROPERTY ADDRESS	69 CONNAUGHT AVE NORTH
SERIAL NUMBER	03–02645–6120
BRIEF LEGAL DESCRIPTION	PLAN 619 LOT 303
DATE OF REGISTRATION	MARCH 22, 1994
INST # OF TAX ARREARS CERTIFICATE	#178904
REDEMPTION DATE	MARCH 22, 1995
TOTAL ARREARS	$9,171.35

PROPERTY ADDRESS	185 MARKET STREET
SERIAL NUMBER	02–01230–5520
BRIEF LEGAL DESCRIPTION	SURVEY GS TIFFANY
DATE OF REGISTRATION	FEBRUARY 11, 1994
INST # OF TAX ARREARS CERTIFICATE	#175841
REDEMPTION DATE	FEBRUARY 11, 1995
TOTAL ARREARS	$12,735.34

PROPERTY ADDRESS	40 EAST AVE NORTH
SERIAL NUMBER	03–02130–2770
BRIEF LEGAL DESCRIPTION	PLAN 223 PT LOT 167
DATE OF REGISTRATION	FEBRUARY 11, 1994
INST # OF TAX ARREARS CERTIFICATE	#175848
REDEMPTION DATE	FEBRUARY 11, 1995
TOTAL ARREARS	$10,679.72

PROPERTY ADDRESS	57 1/2 BREADALBANE ST
SERIAL NUMBER	01–01025–0130
BRIEF LEGAL DESCRIPTION	PLAN 42 BLK 10
DATE OF REGISTRATION	FERBUARY 11, 1994
INST # OF TAX ARREARS CERTIFICATE	#175838
REDEMPTION DATE	FEBRUARY 11, 1995
TOTAL ARREARS	$6,875.87

PROPERTY ADDRESS	135 STRACHAN ST EAST
SERIAL NUMBER	02–01610–1810
BRIEF LEGAL DESCRIPTION	PLAN 89 PT LOT 28
DATE OF REGISTRATION	FEBRUARY 11, 1994
INST # OF TAX ARREARS CERTIFICATE	#175842
REDEMPTION DATE	FEBRUARY 11, 1995
TOTAL ARREARS	$11,712.90

PROPERTY ADDRESS	191 MARKET STREET
SERIAL NUMBER	02–01230–5430
BRIEF LEGAL DESCRIPTION	SURVEY GS TIFFANY
DATE OF REGISTRATION	FEBRUARY 11, 1994
INST # OF TAX ARREARS CERTIFICATE	#175840
REDEMPTION DATE	FEBRUARY 11, 1995
TOTAL ARREARS	$5,806.59

PROPERTY ADDRESS	72 CHEEVER STREET
SERIAL NUMBER	03–02180–0790
BRIEF LEGAL DESCRIPTION	PLAN 154 PT LOT 17
DATE OF REGISTRATION	FEBRUARY 22, 1994
INST # OF TAX ARREARS CERTIFICATE	#176676
REDEMPTION DATE	FEBRUARY 22, 1995
TOTAL ARREARS	$8,543.08

PROPERTY ADDRESS	132 ROBERT STREET
SERIAL NUMBER	02–01565–2970
BRIEF LEGAL DESCRIPTION	PLAN 287 PT LOT 8,9
DATE OF REGISTRATION	FEBRUARY 22, 1994
INST # OF TAX ARREARS CERTIFICATE	#176677
REDEMPTION DATE	FEBRUARY 22, 1995
TOTAL ARREARS	$8,046.03

Bill No. D-5

BY-LAW NO. 95 - *21*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13TH DAY OF DECEMBER A.D., 1994.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of December A.D. 1994

Acting CITY CLERK

MAYOR

Bill No. D-6

CA4ON HBL A03
B51

The Corporation of the City of Hamilton

BY-LAW NO. 95- *022*

To Amend:

By-law No. 89-253

Regarding

THE FINANCING OF SAM LAWRENCE PARK

WHEREAS By-law No. 89-253 was enacted by Council on September 26, 1989, to authorize the upgrading of Sam Lawrence Park at a gross cost of $2,325,000;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 11 of the 7th Report of the Parks and Recreation Committee on September 26, 1989, authorized a reduction to the gross cost of the upgrading of Sam Lawrence Park to $1,969,100.;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

The gross cost of the upgrading of Sam Lawrence Park is reduced from $2,325,000. to $1,969,100.

PASSED this *10th* day of *January* 1995.

CITY CLERK

MAYOR

(1992) 7 R.P.R.C. 11, April 14

Bill No. D-7

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 - *023*

TO AUTHORIZE AN AMENDING AGREEMENT to an EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS on September 28, 1993, as Instrument Number 164996, pursuant to the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), the Treasurer did register a Tax Arrears Certificate on title to the land described in Schedule "A" attached hereto, indicating:

(a) that there are arrears of realty taxes in excess of three (3) years on the land described in Schedule "A" attached hereto, (hereinafter referred to as the "land" or the "Land"); and,

(b) that the said land shall be sold by public sale if the Cancellation Price is not paid within one year following the date of registration of the Tax Arrears Certificate, namely, on or before September 28, 1994.

AND WHEREAS the Municipal Tax Sales Act further states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years, (after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period), for the purpose of extending the period of time within which the Cancellation Price is to be paid;

AND WHEREAS the Municipal Tax Sales Act further states that the said Extension Agreement may extend the period of time within which the Cancellation Price is required to be paid subject to such terms and conditions relating to payment as may be required therein by the municipality;

AND WHEREAS the said Schedule "A" land is recorded by The Corporation of the City of Hamilton under the following Tax Roll Serial Number:

25 18 020 153 50940;

which tax roll also records the Schedule "A" land under the following municipal address:

39 Mary Street, Hamilton, Ontario, L8R 3L8;

AND WHEREAS MNC LIFECARE GROUP INC., (hereinafter referred to as the "Owner"), is the Owner of the said land and it had requested that the City exercise its discretion to pass a by-law to authorize an Extension Agreement to extend the period of time in which the Cancellation Price shall be paid and the terms thereof;

AND WHEREAS By-law No. 94-159 was enacted on September 27, 1994 within the said one year period in which such by-law may be enacted, namely, on or before the 28th day of September, 1994, to extend the period of time for the payment of the Cancellation Price;

AND WHEREAS the City, pursuant to Bylaw No. 94-159, entered into an Extension Agreement (dated September 28th, 1994) with the Owner and such Extension Agreement was registered on title to the Owner's land on the 28th day of September 1994, as Instrument Number 194830;

AND WHEREAS MNC LIFECARE GROUP INC. has requested the City to vary the periods of time, the terms and the conditions of the Owner's payment of tax arrears set out in the said registered Extension Agreement;

AND WHEREAS the City hereby intends to amend By-law No. 94-159 to authorize revisions thereto and to authorize an Amending Extension Agreement.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The period of time open for receipt of the Cancellation Price and the permitted payments of the Cancellation Price extended beyond the expiry of the said one year redemption period that were authorized in Schedule "B" of By-law No. 94-159, are hereby deleted and replaced with the periods of time and the payments set out in Schedule "B" of this amending by-law and the periods of time and payments set out in Schedule "B" attached to this amending by-law, are hereby adopted as the revised extended periods of time and payments which can be authorized for the payment of the Cancellation Price by means of an agreement between the City and the Owner of the land to amend the said Extension Agreement.

(b) This by-law shall be deemed to come into force as of December 31, 1994 after the Owner of the land described in Schedule "A" has (within sixty days of the date of enactment of this by-law) entered into and registered on title to the land an amending agreement satisfactory to and with the City to amend the Extension Agreement as authorized herein.

(c) The Mayor and City Clerk are hereby authorized on behalf of the City to execute such amending Extension Agreement. Such Extension Agreement, as amended, shall cease on December 22, 1995, or upon default of the Owner, or upon payment of the Cancellation Price in full, whichever is earlier.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of the Extension Agreement, or its amending agreement approved herein, it is understood and agreed that while the Extension Agreement, (as amended), remains a subsisting agreement in good standing:

(a) that the Extension Agreement, (as amended), does not reduce the amount of the Cancellation Price;

(b) that the Extension Agreement, (as amended), does not prohibit any person from paying the Cancellation Price at any time;

(c) that any person may pay the Cancellation Price at any time;

(d) that the Extension Agreement, (as amended), terminates upon payment of the Cancellation Price by any person;

(e) that the Extension Agreement, (as amended), shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement, (as amended).

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement, (as amended), is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid;

(b) upon default by the owner in complying with the Extension Agreement, (as amended), or any term thereof, the Extension Agreement, (as amended), shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this *10th* day of *January* A.D. 1995

CITY CLERK

MAYOR

SCHEDULE "A"

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

FIRSTLY: Lots 4 and 5 in the block bounded by Rebecca, Mary, King William and Catharine Streets, Nathaniel Hughson Survey (unregistered) and being more particularly described as all of Part 1, Plan 62R-1523;

SECONDLY: Lot 12, Nathaniel Hughson Survey being in the block bounded by Catharine, Rebecca, Mary and King William Streets,

City of Hamilton,

Regional Municipality of Hamilton-Wentworth,

Registry Division of Wentworth.

As previously set out in Instrument Number 61628.

SCHEDULE "B"

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

(a) the last date for payment of the Cancellation Price is hereby authorized to be extended from September 28, 1994 upon the following revised extension terms and conditions, to the payments and at the dates set out below subject to the terms of The Municipal Tax Sales Act, this by-law and the terms and conditions of the Extension Agreement dated September 28, 1994 as amended by the amending agreement to be entered into by the Owner with the City;

One twelfth of the Cancellation Price as of December 31,1994, together with one twelfth of 1995 real property taxes, (as estimated by the City), together with accrued penalty and interest, shall be paid on the 22nd day of each and every month during 1995 commencing January 22, 1995 and continuing through to November 22, 1995 in the equal monthly sum of $107,000.00, save and except for the December 22, 1995 payment, which payment shall be an amount sufficient to pay the balance of the said Cancellation Price together with the balance, if any, of 1995 real property taxes due and payable up to December 31, 1995.

Bill No. D-8

BY-LAW NO. 95 - 024

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF JANUARY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of January A.D. 1995

CITY CLERK

MAYOR

CA4 ON HBL A08
B91

Bill No. A-8

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 025

TO ALTER FERGUSON AVENUE NORTH BETWEEN CANNON STREET EAST AND BARTON STREET EAST BY NARROWING THE PAVEMENT

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act. Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highway known as Ferguson Avenue North is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 60 of the 1st Report of the Transport and Environment Committee on December 13, 1994, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Ferguson Avenue North as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out to Ferguson Avenue North between Cannon Street East and Barton Street East, for the purpose of narrowing the travelled portion of the said street from the existing width of 19.5m to a width varying from 8.5m to 11.0m, as illustrated in Schedule "A" attached hereto.

2. That the Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 31st day of January , 1995.

CITY CLERK

MAYOR

(1994) 1 R.T.E.C. 60, December 13

Bill No. A-9

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 026

TO INCORPORATE CITY LAND DESIGNATED AS BLOCK 51 ON PLAN 62M-652 & BLOCK 34 ON PLAN 62M-745 INTO EMBASSY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Embassy Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Embassy Drive.

Firstly:

All of Block 51, Plan 62M-652.

Secondly:

All of Block 34, Plan 62M-745.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 31st day of January A.D. 1995

City Clerk

Mayor

Bill No. *A–10*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- *027*

TO INCORPORATE CITY LAND DESIGNATED AS BLOCK 9 ON PLAN 62M-763 INTO ARTISTIC BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Artistic Boulevard by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Artistic Boulevard.

All of Block 9, Plan 62M-763

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this *31st* day of *January* A.D. 1995

City Clerk

Mayor

Bill No. *A–11*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- *028*

TO INCORPORATE CITY LAND DESIGNATED AS PARTS 3 & 4, PLAN 62R-12671 BEING PART OF BLOCK 30, PLAN 62M-710 INTO APPLEBLOSSOM DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Appleblossom Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Appleblossom Drive.

Part of Block 30, Plan 62M-710, designated as Parts 3 and 4, Plan 62R-12671.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this *31st* day of *January* A.D. 1995

City Clerk

Mayor

Bill No. A-12

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 029

TO INCORPORATE CITY LAND DESIGNATED AS PARTS 1 & 5, PLAN 62R-9687 AND PART 1, PLAN 62R-9651 INTO DARTNALL ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Dartnall Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-Law 91-20 is hereby repealed.

2. The following lands are hereby established and laid out as a public highway to form part of Dartnall Road.

Part of Lot 14, Concession 1, designated as Parts 1 and 5, Plan 62R-9687; and Part of Lot 15, Concession 1, designated as Part 1, on Plan 62R-9651, formerly in the township of Glanford.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

3. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

4. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 31st day of January A.D. 1995

City Clerk

Mayor

BILL NO. A - 13

BY-LAW NO. 95 - 030

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Rexford	North & East	from a point 94 feet east of the east curb line of Rexford to a point 108 feet north of the north curb line of Rexford	Anytime	
Independence	East	from a point 104 feet north of Adler to a point 38 feet northerly therefrom	Anytime	Mon - Fri
Highridge	North & West	from the north to west property lines of No. 238 Highridge	Anytime	
Carling	North	from a point 153 feet east of Paradise to a point 93 feet easterly therefrom	8:00 am - 5:30 pm	Mon - Fri
Berkindale	West	Bellamy to Rox		
Hughson	East	from a point 53 feet south of Murray to a point 21 feet southerly therefrom	8:00 am - 5:00 pm	Mon - Fri
Kings Forest	West	Nova to 68 feet north	Anytime".	

and by deleting therefrom the following items, namely:-

"Ray	East	Main to 75 ft. north	Anytime	
Carling	North	commencing at a point 153 feet east of Paradise to a point 113 feet easterly therefrom	8:00 am - 5:30 pm	Mon - Fri
Kings Forest	West	Nova to 88 feet north	Anytime	
Oak	East	Barton to a point 161 feet southerly therefrom	Anytime	
Berkindale	West	Rox to northerly limit of Roxborough	Anytime".	

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Paling	East	commencing at a point 93 feet north of Vansitmart to a point 22 feet northerly therefrom	Anytime
Aikman	South	commencing at a point 180 feet east of Wentworth to a point 31 feet easterly therefrom	Anytime".

and by adding thereto the following items, namely:-

"Ray	East	commencing at a point 68 feet north of Main to George	Anytime
Mars	South	commencing at a point 168 feet east of Douglas to a point 19 feet easterly therefrom	Anytime
Paling	West	commencing at a point 601 feet south of Barton to a point 28 feet southerly therefrom	Anytime
Paling	East	commencing at a point 630 feet south of Barton to a point 20 feet southerly therefrom	Anytime
Cumberland	South	commencing at a point 145 feet west of the west curb line of Norway to a point 21 feet westerly therefrom	Anytime
Caroline	West	commencing at a point 60 feet north of the south end of the street to a point 20 feet northerly therefrom	Anytime
Burton	South	Cheever to Douglas	Anytime".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following item, namely:-

"Leona Rainbow to south end	West	East".

4. **Schedule 24 (Parking Meter Locations)** is hereby amended by deleting from **Section 3(a) (One Hour Limit)** the following item, namely:-

"Oak	West	Barton to 85 ft. south".

5. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting therefrom the following items, namely:-

"Aurora	West	commencing at a point 59 feet north of Charlton to a point 20 feet northerly	30 min	8 am - 8 am (24 hrs)	Mon - Sun
East 27th	West	from a point 136 feet south of Fennell to the extended south curb line of Mackenzie	1 hr	8 am - 6 pm	Mon - Sun
Ray	East	Main to George	2 hr	8 am - 6 pm	Mon - Sat
Burton	North	Cheever to Emerald	3 hr	8 am - 6 pm	Mon - Sat
Burton	Both	Emerald to Victoria	1 hr	8 am - 8 pm	Mon - Sat
Burton	North	Wentworth to Emerald	3 hr	8 am - 6 pm	Mon - Sat

(Schedule 25 - Parking Time Limits - Cont'd)

and by adding thereto the following item, namely:-

"East 27th	West	from a point 136 feet south of Fennell to the south curb line of Mackenzie	3 hr	8 am - 4 pm Mon - Fri
Burton	South	Emerald to Douglas	3 hr	8 am - 6 pm Mon - Sat".

6. **Schedule 23 (Hamilton Street Railway)** is hereby amended by adding to the INBOUND COLUMN the following items, namely:-

"Eva (E/S) 21 feet south of Eaglewood
Limeridge (S/S) 276 feet west of the west curb
line of Rockingham (M/B)
Cannon (N/S) 75 feet east of Balsam (N/S)".

and by deleting from the INBOUND COLUMN the following items, namely:-

"Eaglewood, north side, 33 feet east of the
east curb line of Eleanor, N/S
Limeridge at #508 (MB)
Cannon at Balsam".

PASSED this *31st* day of *January* A.D. 1995.

CITY CLERK

MAYOR

BILL NO. A - 141

BY-LAW NO. 95 - 031

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Caroga	Northbound and Southbound	Morgan
Kings Forest	Southbound	Nova".

and by deleting thereto the following item, namely:-

"St. Andrew's	Northbound and Southbound	Fairway".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Ray	East	Main to 68 feet north	Anytime".

3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Dunsmure	South	26 feet	25 feet east of St. Clair	7:00 am - 9:00 pm
Dorval	South	38 feet	30 feet west of Upper Sherman	10:00 am - 8:00 pm Sundays".

and by deleting thereto the following items, namely:-

"East 23rd	West	26 feet	250 feet south of Concession	9:00 am - 11:00 pm
Cheever	West	20 feet	245 feet south of Birge	8:00 am - 12 mid".

4. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Bonaparte	South	80 feet	124 feet east of the east curb line of Brigade	7:00 am - 6:00 pm Monday to Saturday
Bonaparte	South	31 feet	111 feet east of the east curb line of Corsica	7:00 am - 6:00 pm Monday to Saturday".

5. **Schedule 28 (Taxi Stands)** is hereby amended by adding thereto the following items, namely:-

"East 19th	West	50 feet	176 feet south of Concession	7:00 am - 6:00 pm Monday to Friday
Magnolia	East	20 feet	52 feet north of the north curb line of Leclaire	7:00 am - 6:00 pm Monday to Saturday".

PASSED this *31st* day of *January* A.D. 1995.

CITY CLERK

MAYOR

Bill No. C-*10*

The Corporation of the City of Hamilton

BY-LAW NO. 95-*032*

To Amend:

Zoning By-law No. 6593
as Amended by Zoning By-laws No. 83-192 and 94-008

Respecting:

LAND LOCATED AT MUNICIPAL NO. 303 YORK BOULEVARD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-192 on the 29th day of June 1983 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "H" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 15th day of November 1983, (File No. R 831250);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 94-008 on the 25th day of January 1994 to establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 3rd day of May, 1994, for a one year period, (File No. R 940088);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 16th Report of the Planning and Development Committee at its meeting held on the 8th day of November 1994, recommended that Zoning By-law No. 6593, as amended by By-laws No. 83-192 and 94-008, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"H"** (Community Shopping and Commercial, etc.) District provisions contained in Section 14 of Zoning By-law No. 6593, as amended by By-laws No. 83-192 and 94-008 applicable to the subject lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further modified to the extent only of the following special requirement that:

(a) notwithstanding Section 14(1) of By-law No. 6593, a billiard room shall be permitted only on the second floor of the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 7 of By-law No. 76-233, as amended by By-laws No. 77-46, 80-08, and 80-09 (S-481), section 1 of By-law No. 81-108 (S-745), section 1 of By-law No. 83-192 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-831b.

4. Sheet No. W-12 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 83-192 and section 1 of this by-law, S-831b.

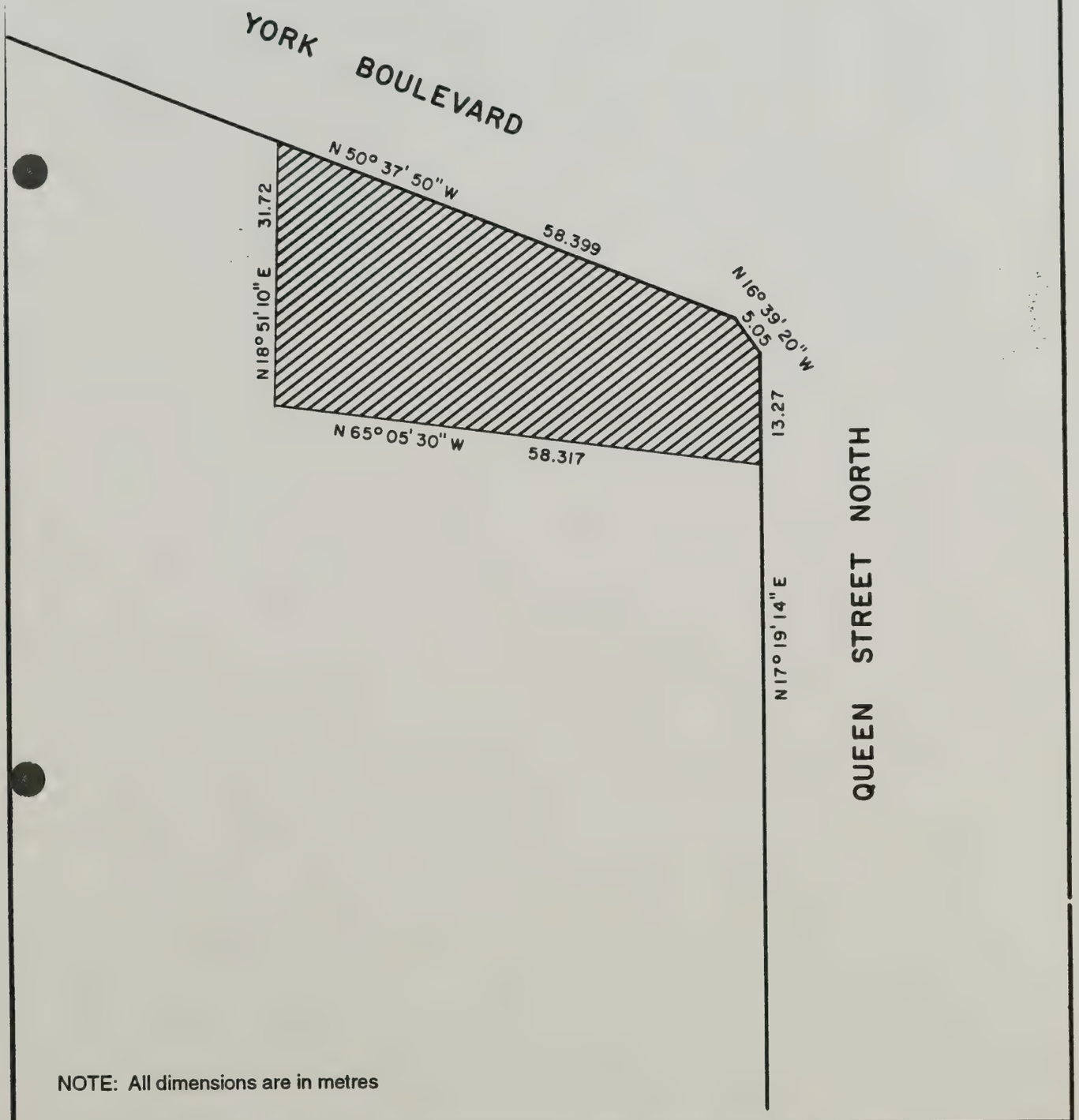
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *31st* day of *January* A.D. 1995

CITY CLERK

MAYOR

(1994) 16 R.P.D.C. 2, November 8
Ned Janjic and Gerda Kugler, Owners
ZA-94-25



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-032...
Passed the ..31st.. day of ..January..... , 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-..032.
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 95-032.....

North	Scale	Reference File No.
	Not to Scale	ZAR-94-25
	Date	Drawn By
	NOVEMBER 1994	Z.K.

Bill No. C-11

The Corporation of the City of Hamilton

BY-LAW NO. 95- 033

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 95-02

Respecting:

**AINSLIE WOOD NEIGHBOURHOOD,
AINSLIE WOOD EAST NEIGHBOURHOOD,
AINSLIE WOOD NORTH NEIGHBOURHOOD,
and AINSLIE WOOD WEST NEIGHBOURHOOD**

WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 1 of the 1st Report of the Planning and Development Committee on December 9, 1994, recommended the preparation of a by-law which included a cellar in the gross floor area of the building;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-02 on the 9th day of December, 1994 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "C" District, in respect of the above captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", but did not include a cellar in the gross floor area of the building in order that there would be continuity between Zoning By-law No. 6593 and the subject by-law;

AND WHEREAS upon further consideration by the Planning and Building Departments it was agreed that the exemption of a cellar from the gross floor area should be eliminated and a cellar included in the gross floor area in accordance with City Council's resolution;

AND WHEREAS it is expedient to clarify the method of calculating gross floor area;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(c) and 1.(d) of By-law No. 95-02 are hereby repealed and the following substituted therefor:

"(c) notwithstanding Section 2.(2)J.(viiia) of Zoning By-law No. 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

a) an attached garage;
b) a detached garage; and,
c) the floor area occupied by heating, air conditioning and laundry equipment;

(d) for purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9."

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1 of By-law No. 95-02 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1335a.

4. Sheets No. W-33, W-34, W-40 to W-42 inclusive, W-44 to W-48 inclusive, and W-50 to W-52 inclusive of the District Maps are amended by marking the lands referred to in section 1 of By-law No. 95-02, S-1335a.

5. In all other respects, By-law No. 95-02 is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *31st* day of *January* A.D. 1995

CITY CLERK

MAYOR

(1994) 1 R.P.D.C. 1, December 9
City Initiative 94-C

Bill No. D-9

The Corporation of the City of Hamilton

BY-LAW NO. 95- 034

To Amend By-law No. 94-095

Regarding

1994 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 94-095 concerning the 1994 Debenture Projects was enacted by Council on the 31st day of May, 1994;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 12 of the 15th Report of the Finance and Administration Committee on October 11, 1994, authorized an amendment to By-law No. 94-095 concerning the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit Project debenture amounts;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The gross cost of each of the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit Project is increased to $1,886,500.

2. Section 2 of By-law No. 94-095 is repealed and replaced with the following:

> "The City Treasurer is authorized to arrange the issuance of the necessary debentures to a maximum of $15,411,000 for a term not to exceed twenty (20) years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City."

3. Paragraphs 14 and 15 of Schedule "A" to By-law 94-095 are repealed and replaced by the following:

	Project	Gross Cost	Receipts & Subsidies	Debenture Amount	Term of Debenture
14)	Parkdale Arena	$2,000,000	$113,500	$1,886,500	20 years
15)	Inch Park Arena	$2,000,000	$113,500	$1,886,500	20 years

4. The totals of Schedule "A" to By-law No. 94-095 are repealed and changed to the following:

Gross Cost	Receipts & Subsidies	Debenture Amount
$18,623,000	$3,212,000	$15,411,000

PASSED this 31st day of January 1994.

CITY CLERK

MAYOR

(1994) 15 R.F.A.C. 12 October 11

Bill No. D-10

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 - *035*

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

> "A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187 (2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

> "The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item 4 of the Third Report of the Finance and Administration Committee on 31st January 1995 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1995 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the **CANADIAN IMPERIAL BANK OF COMMERCE** a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1995, and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.

   (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1995 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1994 are Five Hundred and Six Million, Ninety Six Thousand, Seven Hundred and Eighty Dollars ($506,096,780.00).

3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.

4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.

5. By-law 93-266 is repealed.

6. This by-law shall come into force and effect on the 1st day of January, 1995, and shall remain in force and effect until December 31, 1995.

PASSED this *31st* **day of** *January* **A.D. 1995,**

CITY CLERK **MAYOR**

(1995) 4 R.F.A.C. 3 January 31

Bill No. D-11

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- *036*

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this *31st* **day of** *January* **A.D., 1995,**

CITY CLERK **MAYOR**

Bill No. D-12

BY-LAW NO. 95 - *037*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 31ST DAY OF JANUARY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 31st day of January A.D. 1995

CITY CLERK

MAYOR

BILL NO. A - 15

BY-LAW NO. 95 - 038

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Acadia	Northbound and Southbound	Butler
Garden (north leg)	Eastbound	East 24th
Garden (south leg)	Eastbound	East 24th
Benvenuto (north leg)	Eastbound	Claudette
Philomena	Eastbound	Alfrin
Danson	Eastbound	Spadara
Danson	Westbound	Donnici".

2. **Schedule 30 (Commercial Vehicle Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Homewood	South	47 feet	90 feet west of Dundurn	7:00 am - 6:00 pm Mon to Sat".

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Springside	West	50 feet	commencing at a point 840 feet south of Lister	7:00 am - 6:00 pm Monday to Saturday".

and by adding thereto the following items, namely:-

"Springside	West	90 feet	commencing 800 feet south of Lister	7:00 am - 6:00 pm Monday to Saturday
Albright	North	25 feet	commencing 379 feet west of the west curb line of Mt. Albion	7:00 am - 6:00 pm Monday to Saturday".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Young	North	28 feet	commencing 71 feet east of James	8:00 am - 4:00 pm Monday to Friday".

PASSED this *14th* day of *February* A.D. 1995.

CITY CLERK

MAYOR

BY-LAW NO. 95 - *039*

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

(a) by deleting from **Section 4(a) (Half Hour Limit)** the following item, namely:-

"East 23rd	West	from a point 27 feet south of Fennell to a point 40 feet southerly".

and by adding thereto the following item, namely:-

"East 23rd	West	from a point 27 feet south of Fennell to a point 60 feet southerly".

(b) by deleting from **Section 2(b) (Two Hour Limit)** the following item, namely:-

"Park	West	York to Vine".

and by adding thereto the following item, namely:-

"Park	East	York to Vine".

2. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting therefrom the following item, namely:-

"East 24th	East	Crockett to south property line of #101	1 hr	8 am - 6 pm Mon - Fri".

and by adding thereto the following item, namely:-

"East 24th	East	Crockett to north property line of #101	1 hr	8 am - 6 pm Mon - Fri".

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Royal	North	Bowman to Stroud	Anytime
Royal	South	Bowman to 40 feet east	Anytime
Park	West	York to Vine	Anytime".

and by deleting therefrom the following item, namely:-

"Royal	South	Bowman to Wilmont	Anytime
Park	East	York to Vine	Anytime
Mountwood	East	from a point 54 feet south of Louisa to a point 73 feet southerly therefrom	Anytime".

4. **Schedule 26A (Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Barons	East	20 ft.	16 ft. south of Britannia	Anytime".

PASSED this *14th* day of *February* A.D. 1995.

CITY CLERK

MAYOR

Bill No. C-12

The Corporation of the City of Hamilton

BY-LAW NO. 95- 040

To Amend:

By-law No. 93-167

Respecting

BUILDING PERMIT FEES

WHEREAS By-law No. 93-167 was enacted on the 27th day of July, 1993 to specify the Building Permit fees;

AND WHEREAS paragraph 3 of Schedule "A" of By-law No. 93-167 creates a Permit fee of $75.00 for re-shingling a single family residence roof;

AND WHEREAS Council, on December 13, 1994, in adopting Item No. 6 of the 2nd Report of the Planning and Development Committee authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

Paragraph 3 of Schedule "A" of By-law No. 93-167 is repealed.

PASSED this 14th day of February 1995.

CITY CLERK

MAYOR

(1994) 2 R.P.D.C. 6, December 13

Bill No. C-13

The Corporation of the City of Hamilton

BY-LAW NO. 95-041

To Amend:

By-law No. 86-212
As Amended by By-laws No. 87-229, 92-057 and 93-023

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-229, passed on the 28th day of July 1987 and By-law No. 93-023, passed on the 26th day of January 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 87-229 and 93-023;

AND WHEREAS By-law No. 92-057, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for editorial amendments to By-law No. 86-212;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 9 of the 3rd Report of the Planning and Development Committee on the 10th day of January, 1995, directed that the composition of the Board of Management be further varied, in accordance with Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Wolfgang Schoen	Black Forest Inn
Paul Kircos	Alexanian Carpets
Gord Thompson	Thompson Jewellery and Pawn
John Kenyon	Payne Music
Jason Kropf	Rave Records
Pat J. Connell	Canadian Imperial Bank of Commerce
Agostino Ammendolia	Ammendolia Realty

2. By-laws No. 87-229 and 93-023 are hereby repealed in their entirety.

3. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 9, January 10

Bill No. C- *14*

The Corporation of the City of Hamilton

BY-LAW NO. 95- *042*

To Amend:

By-law No. 86-98
As Amended by By-laws No. 92-074, 93-066 and 94-043

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE WESTDALE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 93-066, passed on the 30th day of March 1993 and By-law No. 94-043, passed on the 8th day of March 1994, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 93-066 and 94-043;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 11 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-98, is repealed and the following substituted therefor:

D. Upsdell	Oddities
S. Snider	The Picture Frame
F. Wands	Retirement Counsel of Canada
M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoe Store
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
J. Rosenweig	Chez Bon Bon

3. By-laws No. 93-066 and 94-043 are hereby repealed in their entirety.

4. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 11, January 10

Bill No. C-15

The Corporation of the City of Hamilton

BY-LAW NO. 95- 043

To Amend:

By-law No. 92-078

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 92-078, passed on the 10th day of March 1992, provided for a Board of Management of the Improvement Area designated by By-law No. 90-197, passed on the 26th day of June 1990, known as the "Main West Esplanade Business Improvement Area", more particularly described in By-law No. 90-197, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 13 of the 3rd Report of the Planning and Development Committee on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 92-078 is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 92-078 is repealed and the following substituted therefor:

M. Farrugia	Calla Decor and Design
A. Perniac	Lorne Haverty Ltd.
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
M. Barnard	Barnard & Speziale Design Associates Inc.

3. In all other respects, By-law No. 92-078 is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 15, January 10

Bill No. C- *16*

The Corporation of the City of Hamilton

BY-LAW NO. 95- *044*

To Amend:

By-law No. No. 87-308
As Amended by By-laws No. 92-079 and 93-228

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE BARTON GENERAL BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 93-228, passed on the 9th day of November 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 93-228;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 15 of the 3rd Report of the Planning and Development Committee on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Drury

2. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Keith Cody	Cody's Wallcoverings
Marko Tollis	The Riveria Banquet Centre
Janice Robinson	Royal Bank
Mark Daily	Marco's Pizza and Subs

3. By-law No. 93-228 is hereby repealed in its entirety.

4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 15, January 10

Bill No. C- 17

The Corporation of the City of Hamilton

BY-LAW NO. 95- 045

To Amend:

By-law No. 86-99
As Amended by By-laws No. 88-144, 92-056 and 93-022

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE OTTAWA STREET BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 88-144, passed on the 31st day of May 1988 and By-law No. 93-022, passed on the 26th day of January 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 88-144 and 93-022;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 17 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "A" referred to in clause 2(a) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Drury
Alderman G. Copps
Alderman D. Wilson

2. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw	A & B Catering
Michael Kier	Surplus-Plus
Gerald R. Carrey	Howard's Flower Shoppe
John Gut	The Textile Centre
John Driscoll	Price Busters
Edith Desmarais	Fred Gregory Florist
Rosemary Young	Wentworth Paints
Greta Munt	Greta's Flaire
Herb Pelz	E-Z Type Design
Tony Bifano	Anton's Video

3. By-laws No. 88-144 and 93-022 are hereby repealed in their entirety.

4. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 17, January 10

Bill No. C- *18*

The Corporation of the City of Hamilton

BY-LAW NO. 95- *046*

To Amend:

By-law No. 86-73
As Amended by By-laws No. 87-148, 92-058, 93-065 and 93-211

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-148, passed on the 12th day of May 1987, By-law No. 93-065, passed on the 30th day of March 1993, and By-law No. 93-211, passed on the 26th day of October 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 87-148, 93-065 and 93-211;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 19 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

R. Titian	Reggie's Music and Sound
G. Attard	Geraldo's/Ramada Hotel
D. Kinash	Gaslight Tavern
T. Fraleigh	Tefcom Ltd./Grindstone Properties
P. Bhatia	Accountax and Paralegal
W. Gerovsky	Leeds of Hamilton
A. Morgante	Adventure Attic
M. Caplan	Marvin Caplan Gentlemen's Apparel
J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
D. Hannah	Canadian Imperial Bank of Commerce

2. By-laws No. 87-148, 93-065 and 93-211 are hereby repealed in their entirety.

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 19, January 10

Bill No. C- *19*

The Corporation of the City of Hamilton

BY-LAW NO. 95- *047*

To Amend:

By-law No. 86-144

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-144, passed on the 29th day of April 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 83-308, passed on the 30th day of November 1983, known as the "Concession Street Business Improvement Area", more particularly described in By-law No. 83-308, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 21 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to vary the composition of the Board of Management, and to provide for certain editorial amendments relating thereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 2(a) of By-law No. 86-144 is amended by adding thereto in the fifth line after the words "hereto annexed", the following phrase:

"and forming part of this by-law."

(2) Section 2(b) of By-law No. 86-144 is amended by adding thereto in the sixth line after the words "so assessed", the following phrase:

"and whose names are set out in Schedule "B" hereto annexed and forming part of this by-law."

2. Schedule "A" referred to in 2(a) of By-law No. 86-144 is repealed and the following substituted therefor:

Alderman H. Merling
Adlerman T. Anderson

3. Schedule "B" referred to in 2(b) of By-law No. 86-144 is repealed and the following substituted therefor:

Betty Toplack	Mountain Bookstore
Ray Devries	Ford & Associates
Roger Burroughs	Camtech
Norm Woolcott	Woolcott's Shoes

4. In all other respects, By-law No. 86-144 is hereby confirmed, unchanged.

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 21, January 10

Bill No. D-13

The Corporation of the City of Hamilton

BY-LAW NO. 95-048

To Amend

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item No. 4 of the 1st Report of the Finance and Administration Committee on December 13, 1994, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1995.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16, 90-344, 92-185, By-law 93-019 and By-law 93-245 is further amended by deleting Schedule "B-1994" and substituting in lieu thereof Schedule "B-1995", hereto annexed and forming part of this by-law.

   (b) In all other respects, By-law No. 8861, as amended, is hereby confirmed unchanged.

2. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this by-law.

PASSED this *14th* day of *February*, 1995.

CITY CLERK

MAYOR

(1994) 1 R.F.A.C. 4, December 13

SCHEDULE "B"

JANUARY 3, 1995
(Cemeteries By-Law No. 8861)

	Resident Realty Taxpayers			Non-Residents		
GRAVES AND LOTS		G.S.T.	TOTAL		G.S.T.	TOTAL
Adult Single-In-A-Row Grave (Graves cannot be selected or purchased in advance but are opened in sequence.)	464.00	32.48	496.48	573.00	40.11	613.11
Adult Single Grave (Where grave may be selected and purchased in advance of need.)	776.00	54.32	830.32	959.00	67.13	1,026.13
Child Single-In-A-Row						
Stillborn - Case up to 24"	51.00	3.57	54.57	61.00	4.27	65.27
Case 24" to 60"	111.00	7.77	118.77	145.00	10.15	155.15
Case 61" to 72"	164.00	11.48	175.48	197.00	13.79	210.79
Urn Garden Grave	258.00	18.06	276.06	314.00	21.98	335.98
Cremorial	816.00	57.12	873.12	979.00	68.53	1,047.53
Columbarium	969.00	67.83	1,036.83	1,163.00	81.41	1,244.41
Veteran's Grave	441.00	30.87	471.87			
Two-Grave Lot	1,780.00	124.60	1,904.60	2,220.00	155.40	2,375.40
Two-Grave Lot - Eastlawn Section 15,16 (6 ft. burials only)	1,452.00	101.64	1,553.64	1,815.00	127.05	1,942.05
Three-Grave Lot - Woodland	2,658.00	186.06	2,844.06	3,325.00	232.75	3,557.75
Four-Grave Lot - Woodland Section 21,25 - Eastlawn Section 19	3,484.00	243.88	3,727.88	4,431.00	310.17	4,741.17
Four-Grave Lot - Woodland Section 15	6,437.00	450.59	6,887.59	8,042.00	562.94	8,604.94
Four-Grave Lot - Trinity	3,274.00	229.18	3,503.18	4,155.00	290.85	4,445.85
Mansion of Memories - Mausoleum Crypt	1,240.00	86.80	1,326.80	1,363.00	95.41	1,458.41

NOTE: **40%** of Grave and Lot sales goes into Care & Maintenance
20% of Mausoleum Crypt sales goes into Care & Maintenance
15% of Columbarium and Cremorial sales goes into Care & Maintenance

JANUARY 3, 1995
(Cemeteries By-Law No. 8861)

	Resident Realty Taxpayers			Non-Residents		
OPENING AND CLOSING		G.S.T.	TOTAL		G.S.T.	TOTAL
4 ft. Adult	471.00	32.97	503.97	565.00	39.55	604.55
8 ft. Adult	634.00	44.38	678.38	734.00	51.38	785.38
6 ft. Child - case up to 24"	76.00	5.32	81.32	92.00	6.44	98.44
- case 25" - 42"	153.00	10.71	163.71	184.00	12.88	196.88
- case 43" - 60"	224.00	15.68	239.68	269.00	18.83	287.83
- case 61" - 72"	291.00	20.37	311.37	349.00	24.43	373.43
8 ft. Child - case up to 60"	260.00	18.20	278.20	312.00	21.84	333.84
- case 61" - 72"	311.00	21.77	332.77	373.00	26.11	399.11
Cremation	153.00	10.71	163.71	184.00	12.88	196.88
Cremorial	56.00	3.92	59.92	67.00	4.69	71.69
Columbarium	100.00	7.00	107.00	120.00	8.40	128.40
Mansion of Memories -New Crypts only	388.00	27.16	415.16	465.00	32.55	497.55
LOWERING (Includes Opening, Removal, Lowering, Closing)						
Adult						
From 6 ft. to 8 ft. - Shell	1,820.00	127.40	1,947.40			
From 6 ft. to 8 ft. - Crypt or Vault	1,515.00	106.05	1,621.05			
Child						
From 6 ft. to 8 ft. - Shell	646.00	45.22	691.22			
From 6 ft. to 8 ft. - Crypt or Vault	542.00	37.94	579.94			
REMOVALS						
Adult - Shell	1,656.00	115.92	1,771.92			
- Concrete Vault or Crypt	1,352.00	94.64	1,446.64			
Child - Shell	572.00	40.04	612.04			
- Concrete Vault or Crypt	468.00	32.76	500.76			
Cremation	153.00	10.71	163.71			
ADDITIONAL SERVICES						
CRYPTS						
Youth				308.00	21.56	329.56
Intermediate				330.00	23.10	353.10
Oversize				350.00	24.50	374.50
MISC.						
Supply, install and maintain flower bed to max.three grave charge-per grave				102.00	7.14	109.14
Tent in cemetery				141.00	9.87	150.87
Rental of tent outside Cemetery				192.00	13.44	205.44
Transfer fee				41.00	2.87	43.87
Bronze Memorial Plaque for Cremorial				128.00	8.96	136.96
Bronze Memorial Plaque for Columbarium Niche				287.00	20.09	307.09
Companion Vase for above Plaque				56.00	3.92	59.92
Memorial Tree Planting-Tree, 12x10 Stone,8x6 Bronze Plaque-3 lines				357.00	24.99	381.99
Memorial Bench-8x5 Bronze Plaque - 3 lines				510.00	35.70	545.70
Flower Pot Hanger				15.00	1.05	16.05
Family Tree Research - Per Name				2.00	.14	2.14

JANUARY 3, 1995
(Cemeteries By-Law No. 8861)

	Resident Realty Taxpayers			Non-Residents		
FOUNDATIONS AND MARKERS		G.S.T.	TOTAL		G.S.T.	TOTAL
*Foundation - pouring per square inch of surface area (to be poured six feet deep	.96	+7%		1.15	+7%	
*Marker Setting Fee						
12"x10" & Child's 18"x14" Flat Marker	75.00	5.25	80.25	90.00	6.30	96.30
Any other size Flat Marker (Maximum size 24" long x 18" wide) (4" minimum & 8" maximum thickness)	114.00	7.98	121.98	137.00	9.59	146.59
Bronze Vase	114.00	7.98	121.98	137.00	9.59	146.59
D.V.A. Upright or Flat	96.00	6.72	102.72			

REGULATIONS

Single In-A-Row Grave
A flat granite marker 24" in length and 18" in width or smaller, minimum 4" thickness.

Preferred Single Grave
Only a flat marker 24" in length and 18" in width is permitted, minimum 4" thickness.

Urn Garden Grave
Only a flat marker 12" in length and 10" in width is permitted, minimum 4" thickness.

Children's Grave
24" or less casket a flat marker 12" in length and 10" in width is permitted, min. 4".
Over 24" casket a flat marker 18" in length and 14" in width is permitted, min. 4".

Two-Grave Lot
Upright monument is allowed. Maximum length of base must not exceed 3'2" (38") and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross. For safety reasons, 6" thick monuments must be pinned to the base as well as the foundation. All other monuments must be 8" in thickness. No vases, either cut into the monument or placed upon the monument will be allowed. No bronze plaques are permitted on upright monuments. (These regulations comply with recommendations made by the joint committee of OAC & OMBA.)

Three and Four-Grave Lot
Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All other regulations for Two-Grave Lot apply to Three & Four-Grave Lots as well.

*NOTE: As per The Cemetery Act of April, 1993, Care & Maintenance charges will be added to those listed above.

Bill No. D-14

The Corporation of the City of Hamilton

BY-LAW NO. 95- 049

A BY-LAW TO ESTABLISH PROCEDURES FOR SALES OF REAL PROPERTY OWNED BY THE CITY OF HAMILTON

WHEREAS effective January 1, 1995 section 193 of the Municipal Act, R.S.O. 1990, Chapter M.45, was amended by the Planning and Municipal Statute Law Amendment Act, 1994 S.O. 1994, Chapter 23, to require municipalities to enact a by-law pursuant to and in accordance with the requirements of the amended section 193 and the Regulations prescribed thereunder by the Province, to establish procedures for the sales of real property owned by a municipality and a public register of the real property owned by a municipality;

AND WHEREAS Ontario Regulation 815/94 issued effective January 1, 1995, prescribes:

(a) classes of real property and classes of real property purchasers where real property may be sold by a municipality exempt from the appraisal requirement of section 193 of the Municipal Act; and,

(b) classes of real property which a municipality is not required to list in the municipality's Public Register of municipal real property;

AND WHEREAS section 193 of the Municipal Act states that the procedural by-law for real property sales by a municipality shall apply to all leases of real property to be entered into by the municipality as landlord for a term of 21 years or longer;

AND WHEREAS it is intended in this by-law to adopt procedures for the City's sales of its real property and for the City's leases of its real property for 21 years or longer, and for this purpose both sales and leases, 21 years or longer, are included in the definition of "sale" in this by-law.

NOW THEREFORE pursuant to section 193 of the Municipal Act, the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. In this by-law,

(a) "Committee" means a standing committee of the Council of The Corporation of the City of Hamilton as defined in the City's Procedural By-law;

(b) "real property", "property" or "land" means lands and premises or any proprietary interest in land which is owned or held by the City in fee simple or otherwise, including, without limiting the generality of the foregoing, all easements, rights-of-way and leasehold interests of the City, and lands owned under agreement of purchase and sale. Real property does not include personal property of the City. For greater certainty and not to restrict the generality of the foregoing definition, real property includes those lands of the City which are parks, parking lots, water lots, open space, buildings, land occupied by the Parking Authority and by the Hamilton Entertainment Facilities Centre Inc. and lands laid out or intended to be laid out as highways;

(c) "sale" includes the sale, transfer or conveyance of real property by the City and includes leases by the City as landlord of real property for a term of 21 years or longer. Sale does not include a Quit Claim Deed made by the City for the purpose of correcting or clarifying title or boundaries of its real property or of real property not owned by the municipality.

2. Real property intended to be sold by The Corporation of the City of Hamilton shall be sold in accordance with the requirements of the Municipal Act and the provisions of this real property sales procedural by-law.

3. Prior to approving the sale of real property, Council shall have been satisfied,

(a) that the real property intended to be sold is surplus to municipal requirements and, if so, Council shall by by-law or resolution passed at a meeting open to the public, declare the real property to be surplus;

(b) that notice of the intended sale of real property by the City has been given to the public in accordance with the requirements of this by-law; and

(c) that Council has received at least one appraisal of the fair market value of the real property intended to be sold.

4. Report

Prior to any consideration by Council or one of its standing committees of an intended real property sale, report(s) on the following matters shall be received:

(a) as to whether or not the real property intended to be sold, is or is not surplus to the City's requirements;

(b) as to the steps taken to give notice to the public of the intended sale in accordance with the Notice to public provisions of this by-law;

(c) unless the real property intended to be sold is appraisal exempt, an appraisal of the real property's fair market value, including the date of the valuation of such appraisal, and, (where appraisal was not prepared by the Director of Property), the opinion of the Director of Property on the appraisal; and

(d) the recommended terms of the intended real property sale, including a description of the real property, whether vacant or improved, the sale price, terms of payment, closing date and conditions of sale.

5. Surplus Real Property

(a) Real property of the City shall not be sold unless it is surplus to the requirements of the City.

(b) Surplus real property of the City is real property which, in the opinion of Council, is no longer required for municipal purposes in accordance with the City's plans, including its Official Plan and such other plan(s) as may be adopted by Council from time to time.

(c) For purposes of reporting to Council whether a real property intended to be sold is or is not surplus to the City, notice of the intended sale shall be circulated preferably one month, and in any event, at least prior to Council or one of its standing committees meets to consider the intended sale. Such notice shall be circulated to all City Departments, all entities and local boards performing City duties and, where Council directs, to such other persons, authorities or bodies corporate.

6. Notice to Public of Intended Sale of Real Property

(1) Real property of the City shall not be sold until after notice to the public of the intended sale has been given in accordance with this by-law;

(2) Notice to the public of every real property intended to be sold shall be given (subject to subsection 5 below) as follows:

(a) Notice to the public shall be given at least once on a date which is not less than seven days prior to the consideration of the intended sale by Council or one of its standing committees;

(b) Notice to the public shall be given within Hamilton, and, in addition, notice may also be given in other municipalities;

(c) Notice to the public may be given in one or more of the methods permitted in this by-law, or any other means of communication which in the opinion of Council, acting reasonably and in good faith, is deemed to be appropriate in the circumstances in order to give notice to the public;

(3) Notice to the public may be given by, but is not limited to, one or more of the following methods:

(a) by advertisement of a Notice or a classified advertisement in a newspaper;

(b) by listing the real property with a broker and/or directly with the Multiple Listing Service of the Metropolitan Hamilton Real Estate Board;

(c) by posting on the real property intended to be sold, for not less than two weeks, a "For Sale" sign which includes the City's name and telephone number for inquiries;

(d) by registered mail; certified mail; courier; fax; personal service; flyers or by posting up a notice in the vicinity of the land to be sold for public viewing;

(4) Where Notice to the public is to be given by advertisement of a Notice in a newspaper (other than as a classified advertisement), the City Clerk shall arrange publication of such notice as a "Notice to Citizens" of the intended sale of real property in accordance with the following requirements:

(a) a "Notice to Citizens" of an intended real property sale shall be published at least once in the newspaper not less than seven days before and not more than three months prior to the date of any consideration by Council, or one of its standing committees, of the intended real property sale;

(b) a "Notice to Citizens" of the intended sale shall include:

(i) a description of the real property intended to be sold satisfactory to the Director of Property, which description may include an address, sketch, approximate dimensions and/or area, or any of them;

(ii) the date, time and location of the Council or name of the standing committee meeting at which the intended real property sale is to be considered;

(iii) a statement as to whether the real property is intended to be sold by tender, auction or agreement;

(iv) the relevant department's name and telephone number for inquiries;

(v) the statement that such notice of the intended sale of land is pursuant to section 193 of the Municipal Act;

(5) Despite subsection (2) above, where real property intended to be sold is within one of the categories listed below, notice to the public shall be deemed sufficiently given by inclusion of the real property sale in the agenda of the Council at which the intended sale is to be considered by Council;

(a) road widenings being sold to The Regional Municipality of Hamilton-Wentworth;

(b) underground easements being sold to public utilities, including The Regional Municipality of Hamilton-Wentworth, telephone companies and Union Gas Limited;

(c) land 0.3 metres or less in width being sold, including, but not limited to, land of such size that was acquired in connection with an approval or decision under the Planning Act.

(6) Where a closed highway or a highway intended to be closed is also intended to be sold to the abutting property owner(s), or to a non abutting purchaser, Notices published in a newspaper pursuant to section 300 of the Municipal Act, (the highway sale provisions) shall be deemed to be notice to the public of the intended sale of such real property for purposes of this realty sales procedural by-law;

(7) Where real property not owned by the City of Hamilton is being sold for realty tax arrears by the City pursuant to the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60, notices of the sale of such real property pursuant to that statute, shall be deemed to be notice to the public for purposes of this realty sales procedural by-law;

(8) Where a property is being sold by public tender, call for proposals or public auction, advertisement(s) of notice of them shall be deemed to be notice to the public for purposes of this realty sales procedural by-law.

7. Appraisals

(a) Subject to subsection (b) below, before selling any real property, Council shall obtain at least one appraisal of the fair market value of the real property.

(b) Where a real property is exempted by Provincial Regulation from the appraisal requirement of section 193, the Municipal Act, a real property may be sold without an appraisal of its fair market value.

(c) For purposes of this by-law, an appraisal includes a written opinion on the appraised fair market value of real property as of a date which is within one year of the date of approval of an intended real property sale (or within such other time as is expressly accepted for a particular appraisal, by resolution, by Council), that is prepared by or is an appraisal satisfactory to, the Director of Property.

(d) Real property which may be sold by the City without a prior appraisal, because the real property is within one of the classes of real property designated by Provincial Regulation as exempt from the appraisal requirement of section 193 of the Municipal Act, are as follows:

1. Land 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act.

2. Highways, roads and road allowances.

3. Land formerly used for railway branch lines if sold to an owner of land abutting the former railway land.

4. Land that does not have direct access to a highway if sold to the owner of land abutting that land.

5. Land repurchased by an owner in accordance with section 42 of the Expropriations Act.

6. Land to be used for sites for the establishment and carrying on of industries and of industrial operations and incidental uses.

7. Land sold under Sections 112, 112.1, 112.2 and 113 of the Municipal Act.

8. Easements granted to public utilities or to telephone companies.

9. Land sold under the Municipal Tax Sales Act.

(e) Real property which may be sold by the City without a prior appraisal because the purchaser of the real property is within one of the classes of purchasers listed below, that have been designated by Provincial Regulation, are as follows:

1. Any municipality, including a metropolitan, regional or district municipality and the County of Oxford.

2. A local board as defined in the Municipal Affairs Act.

3. An authority under the Conservation Authorities Act.

4. The Crown in Right of Ontario or of Canada and their agencies.

8. Approval of Sale of Real Property

Where the steps required by section 193 of the Municipal Act and this by-law have been complied with for the City's intended sale of its real property, including a resolution or by-law of Council declaring the real property to be surplus,

(a) a resolution of Council approving the sale, shall, (except where a by-law is expressly required by statute), be sufficient authorization of such sale;

(b) the Clerk (or acting Clerk, if necessary) may sign and issue a "Certificate of Compliance" to verify matters in the form of such Certificate as prescribed by Provincial Regulation, (a copy of which prescribed form of Certificate is annexed hereto as Schedule "A");

(c) as required by the Municipal Act, such Certificate shall be attached to the City's Transfer of the real property to the purchaser;

(d) Subject to and in accordance with all normal and other approvals as may be required, being previously obtained, all documents required to carry out the real property sale, including the documents listed in subsection (e), shall be executed on behalf of The Corporation of the City of Hamilton by the Mayor and City Clerk, with the corporate seal affixed thereto (except, where the Mayor or Clerk is not available, in which case, by the Acting Mayor or Acting Clerk, as the case may be);

(e) The documents to which subsection (d) refers, are: Offers to Purchase, Options to Purchase, Agreements of Purchase and Sale, Transfers, Deeds, Easements, Leases, and Authorities to Enter;

9. Public Register of Municipal Real Property

(1) (a) A "Public Register of Municipal Real Property" shall (subject to subsection (b) hereof) be established and maintained listing and describing all real property:

(i) that is owned by the City in fee simple; and

(ii) that is leased to the City, (including all leases to the City, regardless of duration);

(b) The following classes of real property according to Ontario Regulation, need not be listed in the Public Register of real property:

(i) Land 3.0 metres or less in width acquired in connection with an approval or decision under the Planning Act;

(ii) All highways, roads and road allowances, whether or not opened, unopened, closed or stopped up;

(iii) Land formerly used for railway branch lines;

(c) The Public Register shall be filed with the Clerk, available for inspection by the public.

(2) The Public Register shall be comprised of,

(a) those portions of the last revised assessment roll of the area municipalities within Assessment Region No. 19, (being the Hamilton-Wentworth Region), prepared by the Assessment Commissioner, showing,

(i) all lands within Assessment Region No. 19 in which The Corporation of the City of Hamilton is listed as "Owner"; and

(ii) all lands within Assessment Region No. 19 in which The Corporation of the City of Hamilton is listed as "Tenant"; and

(b) including, but not limited to, the following properties,

(i) within the Township of Glanbrook, in The Regional Municipality of Hamilton - Wentworth, -- part of Lot 8, Concession 1, in the geographic township of Glanford, fronting on Twenty Road East, Glanbrook, comprising Mount Hamilton Cemetery and a portion of Turner Park;

(ii) within the City of Burlington, in The Regional Municipality of Halton -- LaSalle Park and Edgewater Park; and

(c) such further listings and descriptions of properties as may be required to record the real property of the City.

10. Administration

(a) This by-law shall be administered by the Director of Property;

(b) Where the real property intended to be sold is owned by the City on behalf of the Hamilton Civic Hospitals, the requirements of this by-law prior to Council's consideration of the intended sale of such real property, may be administered by the Hamilton Civic Hospitals;

11. This by-law,

-- shall come into force effective January 1st, 1995 and apply to all real property sales approved by Council on or after that date;

-- does not apply to real property sales approved by Council prior to January 1, 1995.

12. The short title of this by-law is the " Real Property Sales Procedural By-law".

PASSED this *14th* day of *February* A.D. 1995

CITY CLERK

MAYOR

SCHEDULE "A"

to By-law No. 95- 049

CERTIFICATE OF COMPLIANCE

Certificate of Compliance with section 193 of The Municipal Act in the sale or disposition of the real property described as:

(Description may be attached)

I hereby certify that:

1. The Municipality passed By-law _____ on _____. (date)

   It is a procedural by-law for the purposes of the sale or other disposition of real property and was in force on the date of the sale or disposition of the property described above.

Delete if not applicable

2. The property was declared surplus under By-law or Resolution _____ enacted or passed on _____ (date).

Delete if not applicable

3. An appraisal of the fair market value of the property was obtained on _____(date).

Delete if not applicable

4. The property sale or disposition is exempt from the requirement to obtain an appraisal of its fair market value under the following exemption:

Delete if not applicable

5. Public notice of intent to sell or dispose of the property was given by the following method(s):

   _____;

   _____.

   [describe method(s)]

   on the following date(s) _____.

_____ (Signature)

_____ (date)

_____, City Clerk
of The Corporation of the City of Hamilton

Bill No. D-15

BY-LAW NO. 95 - *050*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF FEBRUARY, A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of February A.D. 1995

CITY CLERK

MAYOR

CA4 ON HBL A08
B91

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- 051

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	366 VICTORIA NORTH
	SERIAL NUMBER	03 02210 1180
	BRIEF LEGAL DESCRIPTION	PLAN 163 PART LOTS 6 TO 8 & 14 TO 16
	DATE OF REGISTRATION	APRIL 13, 1994
	INST # OF TAX ARREARS CERTIFICATE	180553
	REDEMPTION DATE	APRIL 13, 1995
	TOTAL ARREARS	$41,729.72
B)	PROPERTY ADDRESS	301 JAMES NORTH
	SERIAL NUMBER	02 01265 6660
	BRIEF LEGAL DESCRIPTION	PLAN 127 BLK 1 PART LOTS 1 AND 2
	DATE OF REGISTRATION	APRIL 13, 1994
	INST # OF TAX ARREARS CERTIFICATE	180552
	REDEMPTION DATE	APRIL 13, 1995
	TOTAL ARREARS	$15,131.49
C)	PROPERTY ADDRESS	31 BAILLIE
	SERIAL NUMBER	02 01435 8960
	BRIEF LEGAL DESCRIPTION	PLAN 48 PART 2 AND 3 IN BLK BOUNDED BY BAILLIE
	DATE OF REGISTRATION	APRIL 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	180129
	REDEMPTION DATE	APRIL 6, 1995
	TOTAL ARREARS	$2,503.78
D)	PROPERTY ADDRESS	607 QUEEN VICTORIA
	SERIAL NUMBER	06 07010 2281
	BRIEF LEGAL DESCRIPTION	CON 7 PART LOT 6 BTN HAM
	DATE OF REGISTRATION	MARCH 8, 1994
	INST # OF TAX ARREARS CERTIFICATE	177898
	REDEMPTION DATE	MARCH 8, 1995
	TOTAL ARREARS	$9,643.91
E)	PROPERTY ADDRESS	4 TIFFANY
	SERIAL NUMBER	02 01255 7620
	BRIEF LEGAL DESCRIPTION	PLAN 119 BLK 1 PART LOT 13 AND 14 RP 62R7812 PARTS 3 TO 8
	DATE OF REGISTRATION	APRIL 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	180131
	REDEMPTION DATE	APRIL 6, 1995
	TOTAL ARREARS	$18,222.39
F)	PROPERTY ADDRESS	162 BARTON STREET WEST
	SERIAL NUMBER	02 01255 6000
	BRIEF LEGAL DESCRIPTION	PLAN 119 BLK F PART LOT 16 AND 17
	DATE OF REGISTRATION	APRIL 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	180128
	REDEMPTION DATE	APRIL 6, 1995
	TOTAL ARREARS	$8,543.02

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 28th **day of** February **1995,/ A.D.,**

ACTING CITY CLERK **MAYOR**

Bill No. D-17

BY-LAW NO. 95-052

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF FEBRUARY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of February A.D. 1995

A. T. Hollowell
ACTING CITY CLERK

MAYOR

Bill No. E-1

BY-LAW NO. 95-053

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 2ND DAY OF MARCH A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 2ND day of March A.D. 1995

ACTING CITY CLERK

MAYOR

Bill No. B-1

BY-LAW NO. 95-054

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 7TH DAY OF MARCH A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 7th day of March A.D. 1995

CITY CLERK

MAYOR

CA4 ON HBL A03
B91

Bill No. E-02

BY-LAW NO. 95 - 055

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF MARCH A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of March A.D. 1995

CITY CLERK

MAYOR

Bill No. A-17

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 056

TO STOP-UP, CLOSE AND AUTHORIZE THE SALE OF PART OF NORTH/SOUTH ALLEY EAST OF 1 YOUNG STREET, DESIGNATED AS PART 7, ON PLAN 62R-12633

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 6 of the Report 10-94 of the Transport and Environment Committee on 1994 July 26, authorized the City to sell part of an alley east of 1 Young Street, being more particularly described as Part 7, on Plan 62R-12633;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of alley east of 1 Young Street described as;

   All of the alley being Part of Lots 149, 150, 164 and 165, on Registered Plan 1431, designated as Part 7, on Plan 62R-12633.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

   Are hereby stopped and closed.

2. That an offer to purchase the northerly 11.8' of Part 7, on Plan 62R-12633, be extended to the owners of 165 James Street South for the sum of $8,100.00, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

3. In the event that the owner of 165 James Street South does not accept the offer within thirty (30) days of the passing of this By-Law, that the soil and freehold of the said closed portion of alley, designated as Part 7, on Plan 62R-12633, be sold to Hamilton Medical Arts Building Limited or their successors in title for the sum of $35,000.00, in accordance with the provisions of the agreement dated 1994 June 8; subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

(cont'd pg 2)

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportion/Environmental Services is hereby authorized to register this By-Law.

PASSED this 14th day of March A.D. 1995

City Clerk

Tom Jackson
(ACTING) Mayor

ART 2
2R--3264

PART 12
62R--3264

PART 12--PLAN 62R--3264

CEL 132-1 SECTION W-1431(c)

LOT 147

LOT 150

LOT 1064

IB@ (1213)

32.73' N18°33'16"E

NORTH FACE OF WALL 1.12'NORTH

INST. No 113820 L. T.

PART 1--PLAN 62R--6193
SUBJECT TO EASEMENT AS SET OUT IN INST.No.124517 L.T.

WEST FACE OF WALL 2.25'WEST

132.00' N 71°32'33"W

0.75' WIDE CONCRETE RETAINING WALL

NORTH FACE OF WALL 0.25'SOUTH

IB (912) (WIT)

IB (912) (WIT)

(62R-3264 AND SET) N 18°33'16"E 43.00

SOUTH FACE OF WALL 0.25'NORTH
SET NAIL IN WASHER

N18°33'16"E 15.00' (P1 AND SET)

WEST FACE OF WALL 1.18'WEST (D2 AND SET)

1.00' N71°32'33"W

SET NAIL IN WASHER

SET NAIL IN WASHER

N71°32'33"W 31.42' (D2 AND SET)

ALLEYWAY
INST.No.15355 N.S.

N17°58'20"E 23.59' (23'± D2)

CONCRETE BLOCK STORAGE SHED

5.11'

5.84'

SET NAIL IN WASHER

LOT LINE

PART 5

INSTRUMENT No.322730 HAM

PLAN

18.18' N 71°15'09"W (18.23± D2)

13.00'

N 18°33'16"E

66.00' N 18°33'16"E (P1 AND SET)

ALLEYWAY (ESTABLISHED BY BY-LAW No.4321-REG'D AS INST.No.1058)

LOT LINE

89.75' (89.0'± D2)

PART 7

INSTRUMENT No.2574 N.S.

INSTRUMENT No.99583 A.B.

INSTRUMENT No.197093 N.S.

REGISTERED

1.00'

SET NAIL IN WASHER

SET NAIL IN WASHER

13.00' N 71°15'09"W (P1 AND SET)

131.00' N 71°15'09"W (P1 AND SET)

SET

CC(WIT) 10.0'SOUTH

CC(WIT) 10.0'SOUTH

62R-12633

Young STREET

(ESTABLISHED BY REG'D PLAN No.1431)

Appendix to By-law 95-056
BEARINGS ARE ASTRONOMIC AND REFERRED TO THE

Bill No. *A-18*

The Corporation of the City of Hamilton

BY-LAW NO. 95- 057

To Amend

By-law No. 87-144

Respecting:

MUNICIPAL WEED INSPECTORS

WHEREAS By-law No. 87-144, passed on the 12th day of May 1987, provided for the appointment of Municipal Weed Inspectors under subsections 6(1) and 8(1) of the Weed Control Act, R.S.O. 1980, Chapter 530, (now R.S.O. 1990, Chapter W.5);

AND WHEREAS By-law No. 87-144 was amended by By-law No. 94-037;

AND WHEREAS it is intended to revise the list of appointed Municipal Weed Inspectors;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 87-144, as amended by By-law No. 94-037, is repealed and the following substituted therefor:

"2. The following persons are hereby appointed Municipal Weed inspectors to enforce the Weed Control Act in the City of Hamilton.

R. Aldridge	R. Farthing	D. Pomfret
P. Booker	C. Gibbs	J. Pook
R. Boutcher	R. Guenther	R. Pyne
J. Bovaird	L. Major	S. Taylor
D. Boyer	A. Mancini	P. Tompkins
R. Campanella	A. Marshall	J. Turner
D. Cowan	J. McShane	R. Yanke
R. Del Conte	T. Perry	

2. By-laws No. 92-106 and No. 94-037 are repealed.

3. In all other respects, By-law No. 87-144 is hereby confirmed, unchanged.

PASSED this 14th day of March , 1995.

CITY CLERK

Tom Jackson (ACTING) MAYOR

Bill No. A-19

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-058

TO INCORPORATE CITY LAND DESIGNATED AS BLOCK 5, PLAN 62M-678 AND PART 2, PLAN 62R-11311 INTO ARROWHEAD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Arrowhead Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Arrowhead Drive.

Firstly:
Part of Lot 9, Concession 1, in the geographic township of Glanford, designated as Part 2, Plan 62R-11311.

Secondly:
All of Block 5, Plan 62M-678.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March A.D. 1995

City Clerk

Tom Jackson
(ACTING) Mayor

Bill No. A-20

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-059

TO INCORPORATE CITY LAND DESIGNATED AS PART 1, PLAN 62R-12998 AND BLOCK 39, PLAN 62M-632 AND PART 2, PLAN 62R-10173 (EXCEPT THE MOST NORTHERLY 20 METRES OF PART 2, PLAN 62R-10173) INTO CYPRUS DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Cyprus Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Cyprus Drive.

Firstly:
Part of Lot 11, Concession 7, in the geographic township of Barton, designated as Part 1, on Plan 62R-12998.

Secondly:
All of Block 39, Plan 62M-632.

Thirdly:
Part of Lot 12, Concession 7, in the geographic township of Barton, designated as all of Part 2, on Plan 62R-10173, except the most northerly 20.00 metres of Part 2, on Plan 62R-10173.

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March A.D. 1995

City Clerk

Tom Jackson
(ACTING) Mayor

Bill No. A-21

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-060

TO INCORPORATE CITY LAND DESIGNATED AS PART 7, PLAN 62R-13077 INTO ARTISTIC BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Artistic Boulevard within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Artistic Boulevard.

Part of Lot 3, Concession 6, in the geographic township of Barton, designated as Part 7, Plan 62R-13077.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March A.D. 1995

City Clerk

(Acting) Mayor

Bill No. A-22

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-061

TO INCORPORATE CITY LAND DESIGNATED AS PART 9, PLAN 62R-13077 INTO EMBASSY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Embassy Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Embassy Drive.

Part of Lot 3, Concession 6, in the geographic township of Barton, designated as Part 9, Plan 62R-13077.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March A.D. 1995

City Clerk

(ACTING) Mayor

Bill No. *A-23*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 062

TO INCORPORATE CITY LAND DESIGNATED AS PARTS 20 & 21, PLAN 62R-10529 INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Acadia Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Lot 9, Concession 8, in the geographic township of Barton, designated as Parts 20 & 21, on Plan 62R-10529.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March A.D. 1995

City Clerk

Tom Jackson (ACTING) Mayor

BILL NO. A - 24

BY-LAW NO. 95 - 063

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway Bus Stops)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

(a) by deleting from the INBOUND Column:

"Cannon (N/S) 25 feet east of Balsam (N/S)"

and by adding thereto the following item, namely:-

"Cannon, north side, 115 feet west of Balsam (F/S)".

(b) by adding to the OUTBOUND Column:

"Beach, south side, 23 feet west of Albermarle (N/S)".

2. **Schedule 26 (No Parking Areas)** is hereby amended by deleting therefrom the following items, namely:-

"Market	South	From 94 ft. west of Queen to 238 ft. west	7 am - 6 pm	Mon - Fri
East 22nd	West	commencing at a point 69 feet south of Concession to a point 40 feet southerly therefrom	Anytime	
Cliff	Both	Concession to 110 ft. north	Anytime	
Devon	South	Longwood to a point 112 feet westerly	Anytime".	

and by adding thereto the following items, namely:-

"Cliff	East	Concession to 161 feet north	Anytime
Devon	South	Longwood to Bond	Anytime"

3. **Schedule 24 (Parking Meter Locations)** is hereby amended:

(a) by adding to **Section 2(a) (Two Hour Limit)** the following items, namely:-

"East 22nd	West	from a point 69 feet north of Concession to a point 40 feet southerly therefrom
Cliff	West	Concession to 110 feet north".

Schedule 24 cont'd...

(b) by adding to **Section 3(b) (One Hour Limit)** the following item, namely:-

"Mary	East	King William to Rebecca".	

(c) by deleting from **Section 4(b) (Half Hour Limit)** the following item, namely:-

"Mary	East	King William to Rebecca".	

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following item, namely:-

"Craigmiller	South	commencing at a point 113 feet west of Ottawa to a point 26 feet westerly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Fullerton	East	from a point 151 feet south of Princess to a point 19 feet southerly therefrom	Anytime
Forest	South	commencing 128 feet west of John to a point 23 feet westerly therefrom	Anytime".

PASSED this 14th day of March A.D. 1995.

CITY CLERK

Tom Jackson
(ACTING) MAYOR

BILL NO. A - 25

BY-LAW NO. 95 - 064

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Beach	Eastbound and Westbound	Rowanwood".

and by adding thereto the following item, namely:-

"Beach	Eastbound and Westbound	Depew".

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Palmer	East	30 feet	111 feet south of the south curb line of Rosanne	7:00 am - 6:00 pm Monday to Saturday".

3. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Market	South	commencing at a point 94 feet west of Queen to a point 90 feet westerly therefrom	Anytime
Riverdale	West	commencing at a point 93 feet south of the south curb line of Jerome to a point 51 feet southerly therefrom	Anytime
Queen Victoria	North	commencing at a point 40 feet east of the east curb line of Rainham to a point 74 feet westerly therefrom	Anytime
Queen Victoria	North	commencing 266 feet west of the extended west curb line of Rainham and extending to a point 84 feet westerly therefrom	Anytime".

4. **Schedule 19 (No U Turn at Certain Intersections)** is hereby amended by adding thereto the following item, namely:-

"Acadia	Northbound and Southbound	Butler".

PASSED this 14th day of March A.D. 1995.

CITY CLERK

Tom Jackson
(ACTING) MAYOR

BILL NO. A 26

BY-LAW NO. 95 - 065

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Section 33a (Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting **subsection (5)** in its entirety and the following substituted therefore:

"(5) The director of traffic services may, with the approval of the Council, issue a parking permit to an eligible applicant for a fee, payable in advance on a calendar year basis, on or before the first day of January of each year, for a permit parking space in a block designated in Schedule 34, in the amount of not less than $2.00 per month, except in the case of a space specifically reserved for a disabled person where there will be no charge."

PASSED this 14th day of March A.D. 1995.

CITY CLERK

(ACTING) MAYOR

Bill No. C-20

The Corporation of the City of Hamilton

BY-LAW NO. 95- 066

To Remove
Lands within the Acadia Estates Subdivision, Plan 62M-776
from Part Lot Control

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

(7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

   Lots 4 to 15 inclusive, and Lots 17 to 22, inclusive, within Registered Plan Number 62M-776, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law is subject to the approval of the Council of The Regional Municipality of Hamilton-Wentworth.

   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED 14th this day of March A.D. 1995.

CITY CLERK

Tom Jackson
(ACTING) **MAYOR**

This Bylaw is approved pursuant to section 50(7),the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this day of 1995.

Commissioner of Planning and Development of
The Regional Municipality of Hamilton-Wentworth

Bill No. C-21

The Corporation of the City of Hamilton

BY-LAW NO. 95- 067

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 91-061

Respecting:

PART OF LAND LOCATED AT MUNICIPAL NO. 1605 MAIN STREET EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-061 on the 9th day of April 1991 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "H" District, in respect of the above referred to land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board by its Decision (File No. Z 920126), dated the 9th day of July 1993, directed that By-law No. 91-061 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(a) of By-law No. 91-061, passed on the 9th day of April 1991, is amended by deleting the number "24" in the third line and substituting therefor the number "30", so that the clause shall read as follows:

> "(a) notwithstanding Section 14(1)(iiib) of By-law No. 6593, a residential care facility for the accommodation of not more than 30 residents shall be permitted;".

2. In all other respects, By-law No. 91-061 is hereby confirmed, unchanged.

PASSED this 14th day of March A.D. 1995

CITY CLERK

Tom Jackson
(ACTING) MAYOR

(1992) 7 R.P.D.C. 12, April 14
Ontario Municipal Decision
dated July 9, 1993
J. Kozar, Owner
ZA-91-86

Bill No. C-22

The Corporation of the City of Hamilton

BY-LAW NO. 95-068

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws No. 70-255 and 74-187

Respecting:

LANDS LOCATED NORTH OF LIMERIDGE ROAD EAST AND WEST OF UPPER KENILWORTH AVENUE (PROPOSED EXTENSION OF LOCHEED DRIVE)

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 70-255 on the 8th day of September 1970 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "DE-2" District and "E-2" District, in respect of the land located in the area west of Upper Kenilworth Avenue extending between Mohawk Road and Limeridge Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 25th day of January 1973, (File No. R. 4591), with the exception of those lands comprised in Block 2;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 74-187 on the 27th day of August 1974 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, "E-2" District and "G" District, in respect of the land located on the north side of Limeridge Road in the area east of Upper Ottawa Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 16th day of April 1975, (File No. R 742072);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 2nd Report of the Planning and Development Committee at its meeting held on the 13th day of December 1994, recommended that Zoning By-law No. 6593, as amended by By-laws No. 70-255 and 74-187 be further amended as hereinafter provided in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59a of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"DE-2"** (Multiple Dwellings) District, modified to **"R-4"** (Small Lot Single-Family Detached) District, the lands comprised in Blocks 1 and 4;

(b) by changing from "**E-2**" (Multiple Dwellings) District, modified to "**R-4**" (Small Lot Single-Family Detached) District, the lands comprised in Blocks 2 and 3; and

(c) by changing from "**DE-2**" (Multiple Dwellings) District, modified to "**C**" (Urban Protected Residential, etc.) District, the land comprised in Block 5,

the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. Clause (c) of Section 2.(2) of By-law No. 70-255 is amended by deleting "403 dwelling units" and substituting therefor, "326 dwelling units".

3. Paragraph 1 of Section 2 of By-law No. 74-187 is hereby repealed.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-166a and S-346a.

5. Sheet No. E-59a is amended by marking the remaining lands referred to in section 1 of By-law No. 70-255 as amended by section 2 of this by-law, and section 1 of By-law No. 74-187 as amended by section 3 of this by-law, S-166a and S-346a, respectively.

6. In all other respects, By-laws No. 70-255 and 74-187 are hereby confirmed, unchanged.

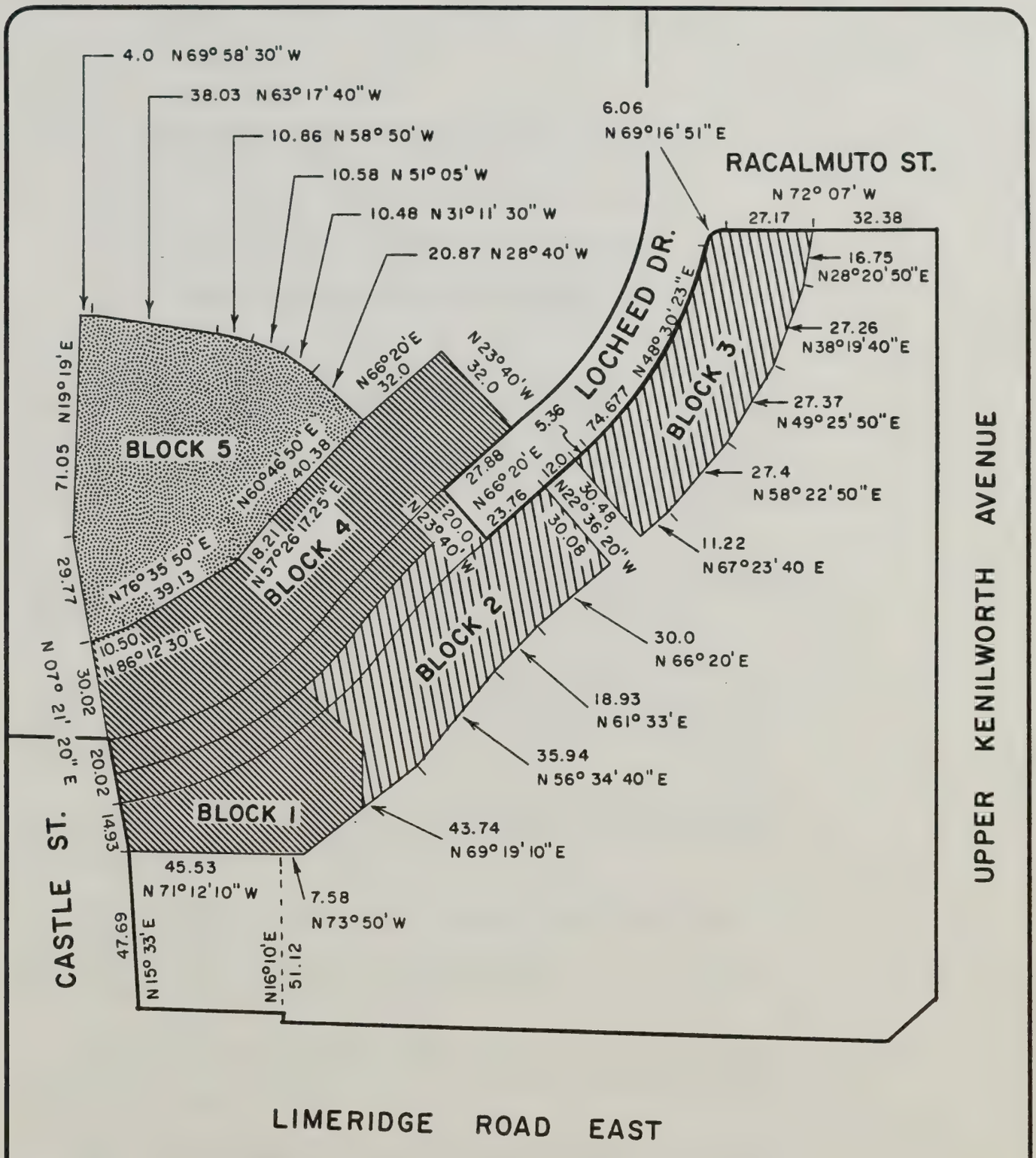
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 14th day of March A.D. 1995

CITY CLERK

Tom Jackson
(ACTING) MAYOR

(1994) 2 R.P.D.C. 2, December 13
822827 Ontario Inc. (A. DiSilvestro), Owner
ZAC-93-26



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-068
Passed the 14th day of March, 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-068
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

BLOCKS 1 & 4 — "DE-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District.

BLOCKS 2 & 3 — "E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District.

BLOCK 5 — "DE-2" (Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	Not to Scale	ZAC-93-26 AMENDED
	Date	Drawn By
	DECEMBER 1994	Z.K.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- 069

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the
authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 14th day of March **1995,/ A.D.,**

CITY CLERK

Tom Jackson

(ACTING) **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	227 MARY
	SERIAL NUMBER	02 01560 5880
	BRIEF LEGAL DESCRIPTION	SVY N HUGHSON PART LOTS 23 & 24
	DATE OF REGISTRATION	APRIL 26,1994
	INST # OF TAX ARREARS CERTIFICATE	181467
	REDEMPTION DATE	APRIL 26,1995
	TOTAL ARREARS	$7,098.50
B)	PROPERTY ADDRESS	22 BELMONT
	SERIAL NUMBER	04 02855 4800
	BRIEF LEGAL DESCRIPTION	PLAN 545 PART LOT 30
	DATE OF REGISTRATION	MAY 19,1994
	INST # OF TAX ARREARS CERTIFICATE	183891
	REDEMPTION DATE	MAY 19,1995
	TOTAL ARREARS	$8,589.23
C)	PROPERTY ADDRESS	58 GARSIDE S
	SERIAL NUMBER	04 03420 4590
	BRIEF LEGAL DESCRIPTION	PLAN 766 LOT 71
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185459
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	$13,173.66
D)	PROPERTY ADDRESS	188 GRAHAM S.
	SERIAL NUMBER	04 03050 7430
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 91
	DATE OF REGISTRATION	MAY 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	183888
	REDEMPTION DATE	MAY 19, 1995
	TOTAL ARREARS	$41,573.61
E)	PROPERTY ADDRESS	188 CAVELL
	SERIAL NUMBER	04 02855 4800
	BRIEF LEGAL DESCRIPTION	PLAN 414 LOT 55 TO 56
	DATE OF REGISTRATION	MAY 18, 1994
	INST # OF TAX ARREARS CERTIFICATE	183726
	REDEMPTION DATE	MAY 18, 1995
	TOTAL ARREARS	$8,589.23
F)	PROPERTY ADDRESS	316 WOODWARD
	SERIAL NUMBER	05 04920 6700
	BRIEF LEGAL DESCRIPTION	PLAN 593 LOT 40
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185464
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	$8,702.09
G)	PROPERTY ADDRESS	32 BRITANNIA
	SERIAL NUMBER	04 03135 2380
	BRIEF LEGAL DESCRIPTION	PLAN 297 PART LOTS 121,122 & 123
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185460
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	$13,756.02

SCHEDULE "A"
EXTENSION AGREEMENTS

H)	PROPERTY ADDRESS	101 ROBINS
	SERIAL NUMBER	04 03155 1030
	BRIEF LEGAL DESCRIPTION	PLAN 395 BLOCK C, LOT 88
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185461
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	$8,248.86
I)	PROPERTY ADDRESS	712 UPPER GAGE
	SERIAL NUMBER	07 06320 7670
	BRIEF LEGAL DESCRIPTION	CONCESSION 5, PART LOT 7, BTN HAM
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185465
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	$14,221.47
J)	PROPERTY ADDRESS	1024 KING E.
	SERIAL NUMBER	03 02635 0760
	BRIEF LEGAL DESCRIPTION	PLAN 541 LOT 39 PART LOT 38
	DATE OF REGISTRATION	JUNE 20,1994
	INST # OF TAX ARREARS CERTIFICATE	186575
	REDEMPTION DATE	JUNE 20,1995
	TOTAL ARREARS	$62,666.42
K)	PROPERTY ADDRESS	1291 CANNON E.
	SERIAL NUMBER	04 03120 2500
	BRIEF LEGAL DESCRIPTION	PLAN 297 PART LOTS 240,241 & 242
	DATE OF REGISTRATION	SEPTEMBER 2, 1994
	INST # OF TAX ARREARS CERTIFICATE	193147
	REDEMPTION DATE	SEPTEMBER 2, 1995
	TOTAL ARREARS	$7,337.94
L)	PROPERTY ADDRESS	224 MARY
	SERIAL NUMBER	02 01560 7380
	BRIEF LEGAL DESCRIPTION	PLAN 287 NORTH HALF LOT 17
	DATE OF REGISTRATION	SEPTEMBER 16, 1994
	INST # OF TAX ARREARS CERTIFICATE	194088
	REDEMPTION DATE	SEPTEMBER 16, 1995
	TOTAL ARREARS	$13,228.35

Bill No. D-19

BY-LAW NO. 95 - 070

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14th DAY OF MARCH A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of March A.D. 1995

CITY CLERK

Tom Jackson
(ACTING) MAYOR

CA4 ON HBL A08
B91

Bill No. C-23

The Corporation of the City of Hamilton

BY-LAW NO. 95- 071

To Adopt:

Official Plan Amendment No. 130

Respecting:

LANDS BOUNDED BY ARBOUR ROAD, MUD STREET, THE HYDRO-ELECTRIC CORRIDOR, AND THE RED HILL CREEK EXPRESSWAY WITHIN THE ALBION FALLS NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 130 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 23rd day of March A.D. 1995

CITY CLERK

ACTING MAYOR

(1995) 9 R.P.D.C.(1), March 23

Amendment No. 130

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 130.

Purpose:

The purpose of this Amendment is to redesignate a 35.4 acre parcel of land from "Open Space" to "Residential" to permit residential development of the lands in this section of the Albion Falls Neighbourhood.

Location:

The lands affected by this Amendment are bounded by Arbour Road to the west, Mud Street to the north, the Hydro-Electric Corridor to the east, and the Red Hill Creek Expressway to the south, within the Albion Falls Neighbourhood.

Basis:

The basis for redesignating the subject lands from "Open Space" to "Residential" to permit low-density residential development on the subject lands are as follows:

1) Low-density residential development is compatible with the existing built-form in the area; and,

2) Low-density residential development is appropriate for the subject lands in the opinion of Council.

Actual Changes:

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the 35.4 acre parcel of land bounded by Arbour Road to the west, Mud Street to the north, the Hydro-Electric Corridor to the east, and the Red Hill Creek Expressway to the south, from "Open Space" to "Residential", as shown on the attached Schedule "A" of this Amendment.

Implementation:

A Neighbourhood Plan and Zoning By-law will give effect to this amendment.

This is Schedule "1" to By-law No. 95- 071 , passed on the 23rd day of March , 1995.

The Corporation of the

City of Hamilton

City Clerk

Acting Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 95- 072

Respecting

DEVELOPMENT CHARGES

WHEREAS Section 3 of the Development Charges Act, R.S.O. 1990, Chapter D.9 enables the Council of a municipality to pass by-laws for the imposition of development charges against land located in the municipality where the development of the land would increase the need for municipal services as designated in the By-law;

AND WHEREAS By-law No. 90-74 was enacted on March 27, 1990 to impose development charges in the City of Hamilton;

AND WHEREAS By-law No. 90-74 was amended by By-law No. 92-177;

AND WHEREAS under Section 6 of the Act, a Development Charges By-law expires five years after being enacted;

AND WHEREAS the Council of The Corporation of the City of Hamilton has given Notice in accordance with Section 4 of the Development Charges Act, of its intention to pass a by-law under Section 3 of the said Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Finance and Administration Committee, has heard all persons who applied to be heard no matter whether in objection to, or in support of, the said by-law;

AND WHEREAS the Council The Corporation of the City of Hamilton, at its meeting on March 23, 1995, directed that development charges be imposed on land under development or redevelopment within the geographical limits of the City of Hamilton as hereinafter provided.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

   (a) "capital cost" means costs incurred or proposed to be incurred by a municipality or a local board thereof directly or under an agreement,

      (i) to acquire land or an interest in land,

      (ii) to improve land,

      (iii) to acquire, construct or improve buildings and structures,

      (iv) to acquire, construct or improve facilities including,

         1. rolling stock, furniture and equipment, and

2. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, and

(v) to undertake studies in connection with any of the matters in clauses (i) to (iv),

required for the provision of services designated in a development charge by-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (i), (ii), (iii) and (iv) that are growth-related;

(b) "development" includes redevelopment;

(c) "development charge" means a charge imposed with respect to growth-related net capital costs against land under this by-law;

(d) "growth-related net capital cost" means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital cost that results or will result from development in all or a defined part of the municipality;

(e) "local board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the City of Hamilton or any part or parts thereof;

(f) "net capital cost" means the capital cost less capital grants, subsidies and other contributions made to a municipality or that the council of the municipality anticipates will be made, including conveyances or payments under Sections 41, 51 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13, in respect of the capital cost;

(g) "owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

(h) "services" means services designated in Parts II and III of this by-law.

PART I

APPLICATION

2. (1) Subject to subsection (2), this by-law applies to all lands in the City of Hamilton, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, Chapter A.31.

(2) This by-law shall not apply to land that is owned by and used for the purposes of,

(a) a board of education as defined by Section 29 (1) of the Development Charges Act, R.S.O. 1990, Chapter D.9,

(b) the City of Hamilton, or any local board thereof,

(c) The Regional Municipality of Hamilton-Wentworth, or any local board thereof, or

(d) the area municipalities of Ancaster, Dundas, Flamborough, Glanbrook, and Stoney Creek, or any local board thereof.

3. (1) Subject to subsection (2), development charges shall apply, and shall be calculated and collected in accordance with the provisions of this by-law, on land to be developed for residential and non-residential use, where,

(a) the development of land will increase the need for services, and

(b) the development requires,

(i) the passing of a zoning by-law or of an amendment thereto under Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

(ii) the approval of a minor variance under Section 45 of the Planning Act;

(iii) a conveyance of land to which a by-law passed under subsection 50 of the Planning Act;

(iv) the approval of a plan of subdivision under Section 51 of the Planning Act;

(v) a consent under Section 53 of the Planning Act;

(vi) the approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chapter G.26; or

(vii) the issuing of a permit under the Building Code Act, 1992, S.O. 1992, Chapter 23, in relation to a building or structure.

(2) Subsection (1) shall not apply in respect of,

(a) local services installed at the expense of the owner within a plan of subdivision as a condition of approval under Section 51 of the Planning Act;

(b) local services installed at the expense of the owner as a condition of approval under Section 53 of the Planning Act; or

(c) local connections to water mains, sanitary sewers and storm drainage facilities installed at the expense of the owner including amounts imposed under a by-law passed under Section 222 of the Municipal Act, R.S.O. 1990, Chapter M.45;

4. Development charges as set out in Parts II and III of this by-law shall apply to all lands that are developed for residential and non-residential use in accordance with this by-law, but only insofar as,

(a) the growth-related net capital costs are attributable to that use, and

(b) the growth-related net capital cost of each service is attributable to the service or standard of service being provided at the time the development charges are being calculated.

5. (1) Where two or more of the actions described in Section 3 (1) are required before land to which a development charge applies can be developed, only one

development charge shall be calculated and collected in accordance with the provisions of this by-law.

(2) Notwithstanding subsection (1), if two or more of the actions described in Section 3 (1) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as designated in Sections 7 and 11, an additional development charge shall be calculated and collected in accordance with the provisions of this by-law.

PART II

RESIDENTIAL DEVELOPMENT CHARGES

6. In this part,

(a) "apartment" means a building consisting of one or more dwellings which is not a single detached dwelling, a semi-detached dwelling or a row dwelling;

(b) "bedroom" means any room that allows for the use of one or more persons, including but not limited to a den and family room, but does not include a room clearly designed as a kitchen, living room, dining room or bathroom;

(c) "development charge" means residential development charge;

(d) "grade" means the average level of finished ground adjoining a dwelling unit at all exterior walls;

(e) "gross floor area" means the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from another dwelling unit or other portion of a building;

(f) "residential" means designed, adapted or used as a home or residence of one or more individual, and shall include a single detached dwelling, a semi-detached dwelling, a row dwelling, and an apartment;

(g) "semi-detached or row dwelling" means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another structure;

(h) "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure;

7. Development charges against land to be developed for residential use shall be based upon the following designated services provided by the City of Hamilton:

(a) indoor and outdoor recreational facilities and lands related thereto;

(b) parklands and other outdoor park facilities including sports fields and courts, landscaping, lighting, fencing, benches, but excluding the land required therefor by way of parkland dedication pursuant to Sections 41, 51 and 53 of the Planning Act;

(c) libraries and lands related thereto, including circulating and non-circulating materials generally provided to library users by public libraries;

(d) fire stations and equipment and services related thereto;

(e) oversizing of roads, installation of stub streets, street lights and fencing;

(f) oversizing of a new traffic operations control building, installation of traffic signs, and services related thereto.

8. (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for residential use shall be calculated and collected at the following base rates;

Type of residential Unit	Per Unit
- single detached dwelling, semi-detached dwelling, row dwellings	$1,723.20
- two or more bedroom apartment	$1,216.38
- bachelor and one-bedroom apartment	$ 658.87

(2) The development charges payable under subsection (1) shall be adjusted to account for the full amount of any development charge paid under the terms of a subdivision agreement with the City of Hamilton executed prior to the date of the passing of this by-law.

9. (1) Subject to subsections (2) and (3), Section 8 (1) shall not apply in respect of the creation of,

(a) one or two additional dwelling units in an existing single detached dwelling; or

(b) an additional dwelling unit in any other existing residential building.

(2) Notwithstanding subsections (1) (a), development charges shall be calculated and collected in accordance with Section 8 (1) where the total gross floor area of the additional one or two units is greater than the total gross floor area of the existing dwelling unit.

(3) Notwithstanding subsection (1) (b), development charges shall be calculated and collected in accordance with Section 8 (1) where the additional unit has a gross floor area greater than,

(a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit, and

(b) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.

PART III

NON-RESIDENTIAL DEVELOPMENT CHARGES

10. In this part,

(a) "development charge" means non-residential development charge;

(b) "grade" means the average level of finished ground adjoining a dwelling unit at all exterior walls;

(c) "gross floor area" means the total area of all floor above and below grade within the exterior perimeter of a building, but does not include an area used for parking and loading or for access and manoeuvring.

(d) "non-residential" means designed, adapted or used for any purpose, but does not include land designed, adapted or used for residential purposes as defined in Part II of this by-law;

11. Development charges against land to be developed for non-residential use shall be based upon the following designated services provided by the City of Hamilton:

(a) fire stations and equipment and services related thereto;

(b) oversizing of roads, installation of stub streets, street lights and fencing;

(c) oversizing of a new traffic operations control building, installation of traffic signs, and services related thereto.

12. (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for non-residential use shall be calculated and collected at the base rate of $6,927.60 per hectare.

(2) Where the gross floor area of a building is greater than 50% of the gross area of the lot on which the building is or is to be located, a surcharge shall be applied at the rate of $1.4208 per square metre to that portion of the building that is greater than 50% of the gross area of the lot.

(3) The development charges payable under subsection (1) shall be adjusted to account for the full amount of any development charge paid under the terms of a subdivision agreement with the City of Hamilton executed prior to the date of the passing of this by-law.

13. Subject to the provisions of this part and this by-law, development charges against land to be developed for mixed non-residential and residential use shall be calculated and collected as follows:

(a) development charges against that portion of the land to be developed for residential use shall be calculated and collected in accordance with Part II of this by-law;

(b) development charges against that portion of the land to be developed for non-residential use shall be calculated and collected according to the following formula:

$$\text{Non-residential Charge} = \left[\left(\frac{A}{B}\right) \times C \times D\right] + (E \times F)$$

where A = gross floor area of all buildings and structures used for non-residential purposes purposes

B = total gross floor area of the development

C = area of the lot in hectares

D = per hectare rate under Section 12 (1)

$$E = A - 1/2 \left(\frac{A}{B} \times C\right)$$

[**NOTE:** If, after doing the calculation, E equals a negative number, E should be inserted into the formula as zero]

F = per square metre rate under Section 12 (2)

PART IV

ADMINISTRATION

14. (1) Development charges shall be calculated and payable in full on the date that the building permit is issued in relation to a building or structure on land to which a development charge applies.

(2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

(3) Notwithstanding subsection (1), an owner may enter into an agreement with the City of Hamilton to provide for the payment in full of a development charge on the date that a building permit is applied for under City of Hamilton By-law No. 93-167 as amended in relation to a building or structure on land to which a development charge applies.

15. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

16. (1) Monies received from payment of development charges shall be maintained in a separate reserve fund or funds, and shall be used only to meet the growth-related net capital costs for which the development charge was levied under this by-law.

(2) Income received from investment of the development charge reserve fund or funds shall be credited to the development charge reserve fund or funds in relation to which the investment income applies.

(3) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.

(4) Where any unpaid development charges are collected as taxes under subsection (3), the monies so collected shall be credited to the development charge reserve fund or funds referred to in subsection (1).

17. (1) Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Council of the Corporation of the City of Hamilton, the Treasurer for the City of Hamilton shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.

(2) Refunds that are required to be paid under subsection (1) shall be paid to the registered owner of the land on the date on which the refund is paid.

(3) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:

(a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;

(b) The refund shall include the interest owed under this Section;

(c) Interest shall be paid at the Bank of Canada rate in effect on the later of,

(i) the date of enactment of this by-law, or

(ii) the date of the last quarterly adjustment thereto, in accordance with the provisions of subsection (4).

(4) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be adjusted on the first business day of April, 1995 to the rate established by the Bank of Canada on that day, and shall be adjusted quarter-yearly thereafter on the first business day of October, January, April and July to the rate established by the Bank of Canada on the day of the adjustment.

18. The development charges referred to in Sections 8 and 12 may be adjusted annually, without amendment to this by-law, as of the 31st day of December in accordance with the Composite Index for October as published in the October issue of the Southam Construction Cost Index (Ontario Series) for that year.

19. This by-law shall be administered by the Building Department and the Treasury Department of The Corporation of the City of Hamilton.

20. Notwithstanding any other provision of this by-law, where an application for a building permit under City of Hamilton By-law No. 93-167 is submitted to the Building Department of the City of Hamilton prior to the date of enactment of this by-law, the development charge rate in effect prior to the date of the enactment of this by-law shall apply.

21. (1) This by-law shall come into force and effect on the date of its enactment.

(2) This by-law shall continue in force and effect for a term not to exceed six months from the date of its enactment, unless it is repealed at an earlier date by subsequent by-law.

22. This by-law may be cited as the Development Charges By-law.

23. By-law No. 90-074, as amended by By-law No. 92-171 is hereby repealed.

PASSED this 23rd day of March 1995.

CITY CLERK

ACTING MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 - 073

TO AUTHORIZE AN AMENDING AGREEMENT to an EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS on September 28, 1993, as Instrument Number 164996, pursuant to the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), the Treasurer did register a Tax Arrears Certificate on title to the land described in Schedule "A" attached hereto, indicating:

(a) that there are arrears of realty taxes in excess of three (3) years on the land described in Schedule "A" attached hereto, (hereinafter referred to as the "land" or the "Land"); and,

(b) that the said land shall be sold by public sale if the Cancellation Price is not paid within one year following the date of registration of the Tax Arrears Certificate, namely, on or before September 28, 1994.

AND WHEREAS the Municipal Tax Sales Act further states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years, (after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period), for the purpose of extending the period of time within which the Cancellation Price is to be paid;

AND WHEREAS the Municipal Tax Sales Act further states that the said Extension Agreement may extend the period of time within which the Cancellation Price is required to be paid subject to such terms and conditions relating to payment as may be required therein by the municipality;

AND WHEREAS MNC LIFECARE GROUP INC., (hereinafter referred to as the "Owner"), is the Owner of the said land and it had requested that the City exercise its discretion to pass a by-law to authorize an Extension Agreement to extend the period of time in which the Cancellation Price shall be paid and the terms thereof;

AND WHEREAS By-law No. 94-159 was enacted on September 27, 1994 within the said one year period in which such by-law may be enacted, namely, on or before the 28th day of September, 1994, to extend the period of time for the payment of the Cancellation Price;

AND WHEREAS the City, pursuant to Bylaw No. 94-159, entered into an Extension Agreement (dated September 28th, 1994) with the Owner and such Extension Agreement was registered on title to the Owner's land on the 28th day of September 1994, as Instrument Number 194830;

AND WHEREAS MNC LIFECARE GROUP INC. requested the City vary the periods of time, the terms and the conditions of the Owner's payment of tax arrears set out in the said registered Extension Agreement;

AND WHEREAS the City amended By-law No. 94-159 pursuant to Bylaw 95-23 to authorize revisions thereto and to authorize an Amending Agreement.

AND WHEREAS MNC LIFECARE GROUP INC. has made a further request of the City to vary the periods of time, the terms and the conditions of the Owner's payment of tax arrears set out in the said registered Extension Agreement and subsequent Amending Agreement;

AND WHEREAS the City hereby intends to amend By-law Nos. 94-159 and 95-23 to authorize revisions thereto and to authorize a further Amending Agreement.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The period of time open for receipt of the Cancellation Price and the permitted payments of the Cancellation Price extended beyond the expiry of the said one year redemption period that were authorized in Schedule "B" of By-law No. 95-23, are hereby deleted and replaced with the periods of time and the payments set out in Schedule "B" of this amending by-law and the periods of time and payments set out in Schedule "B" attached to this amending by-law, are hereby adopted as the revised extended periods of time and payments which can be authorized for the payment of the Cancellation Price by means of an agreement between the City and the Owner of the land to amend the said Extension Agreement.

(b) This by-law shall be deemed to come into force as of March 22, 1995 after which the Owner of the land described in Schedule "A" has (within sixty days of the date of enactment of this by-law) entered into and registered on title to the land an amending agreement satisfactory to and with the City to amend the Extension Agreement as authorized herein.

(c) The Mayor and City Clerk are hereby authorized on behalf of the City to execute such amending Extension Agreement. Such Extension Agreement, as amended, shall cease on December 22, 1995, or upon default of the Owner, or upon payment of the Cancellation Price in full, whichever is earlier.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of the Extension Agreement, or its amending agreement approved herein, it is understood and agreed that while the Extension Agreement, (as amended), remains a subsisting agreement in good standing:

(a) that the Extension Agreement, (as amended), does not reduce the amount of the Cancellation Price;

(b) that the Extension Agreement, (as amended), does not prohibit any person from paying the Cancellation Price at any time;

(c) that any person may pay the Cancellation Price at any time;

(d) that the Extension Agreement, (as amended), terminates upon payment of the Cancellation Price by any person;

(e) that the Extension Agreement, (as amended), shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement, (as amended).

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement, (as amended), is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid;

(b) upon default by the owner in complying with the Extension Agreement, (as amended), or any term thereof, the Extension Agreement, (as amended), shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 23rd day of March A.D. 1995

CITY CLERK

ACTING MAYOR

(1995) * R.F.A.C. *, March 28

SCHEDULE "A" of By-law 95-073

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

FIRSTLY: Lots 4 and 5 in the block bounded by Rebecca, Mary, King William and Catharine Streets, Nathaniel Hughson Survey (unregistered) and being more particularly described as all of Part 1, Plan 62R-1523;

SECONDLY: Lot 12, Nathaniel Hughson Survey being in the block bounded by Catharine, Rebecca, Mary and King William Streets,

City of Hamilton,

Regional Municipality of Hamilton-Wentworth,

Registry Division of Wentworth.

As previously set out in Instrument Number 61628.

SCHEDULE "B" of By-law 95-073

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

(a) the last date for payment of the Cancellation Price is hereby authorized to be extended from September 28, 1994 upon the following revised extension terms and conditions, and such other terms and conditions as may be provided, to the payments and at the dates set out below subject to the terms of The Municipal Tax Sales Act, this by-law and the terms and conditions of the Extension Agreement dated September 28, 1994 as amended by the Amending Agreement dated January 11, 1995, and the further Amending Agreement to be entered into by the Owner with the City;

(b) The payments set out below, at the request of the Owner, include additional amounts to satisfy: business taxes owing in respect of business tax roll numbers 02-01535-0940-0020-941 and 01-01035-3120-0020-941; and realty tax arrears, penalty, and interest owing on the lands municipally referred to as 55 Mary Street, Hamilton, and 52 Catherine Street North, Hamilton. Inability of the Owner to provide such additional amounts shall not constitute default of the Extension Agreement, as amended;

(c) The Cancellation Price, as of December 31, 1994, together with the 1995 realty taxes as estimated by the City together with accrued penalty and interest, and the additional amounts above-referenced shall be paid as follows:

(i) In equal monthly sums of $75,000.00 each to be paid on April 30, 1995, May 31, 1995, and June 30, 1995;

(ii) In equal monthly sums of $111,000.00 each to be paid on July 31, 1995, August 31, 1995, and September 30, 1995;

(iii) In equal monthly sums of $236,000.00 each to be paid on October 31, 1995, November 30, 1995, and December 31, 1995. The instalment due on December 31, 1995 may be adjusted in order to provide for payment of the balance of the said Cancellation Price together with the balance, if any, of 1995 taxes due and payable up to December 31, 1995; and

(iv) There shall be no monthly payment due and payable in the month of March, 1995

(d) Where the date for making payment occurs on a holiday, payment shall be made prior to 5:00 p.m. on the next day following that is not a holiday and when the offices of the City are open for business.

Bill No. D-22

BY-LAW NO. 95 - 074

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 23rd DAY OF MARCH A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 23rd day of March A.D. 1995

CITY CLERK

ACTING MAYOR

Bill No. C- 24

The Corporation of the City of Hamilton

BY-LAW NO. 95- 075

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 71 RYMAL ROAD WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

   155. Land located at Municipal No. 71 Rymal Road West, shown on Appendix 155 hereto annexed and forming part of this by-law.

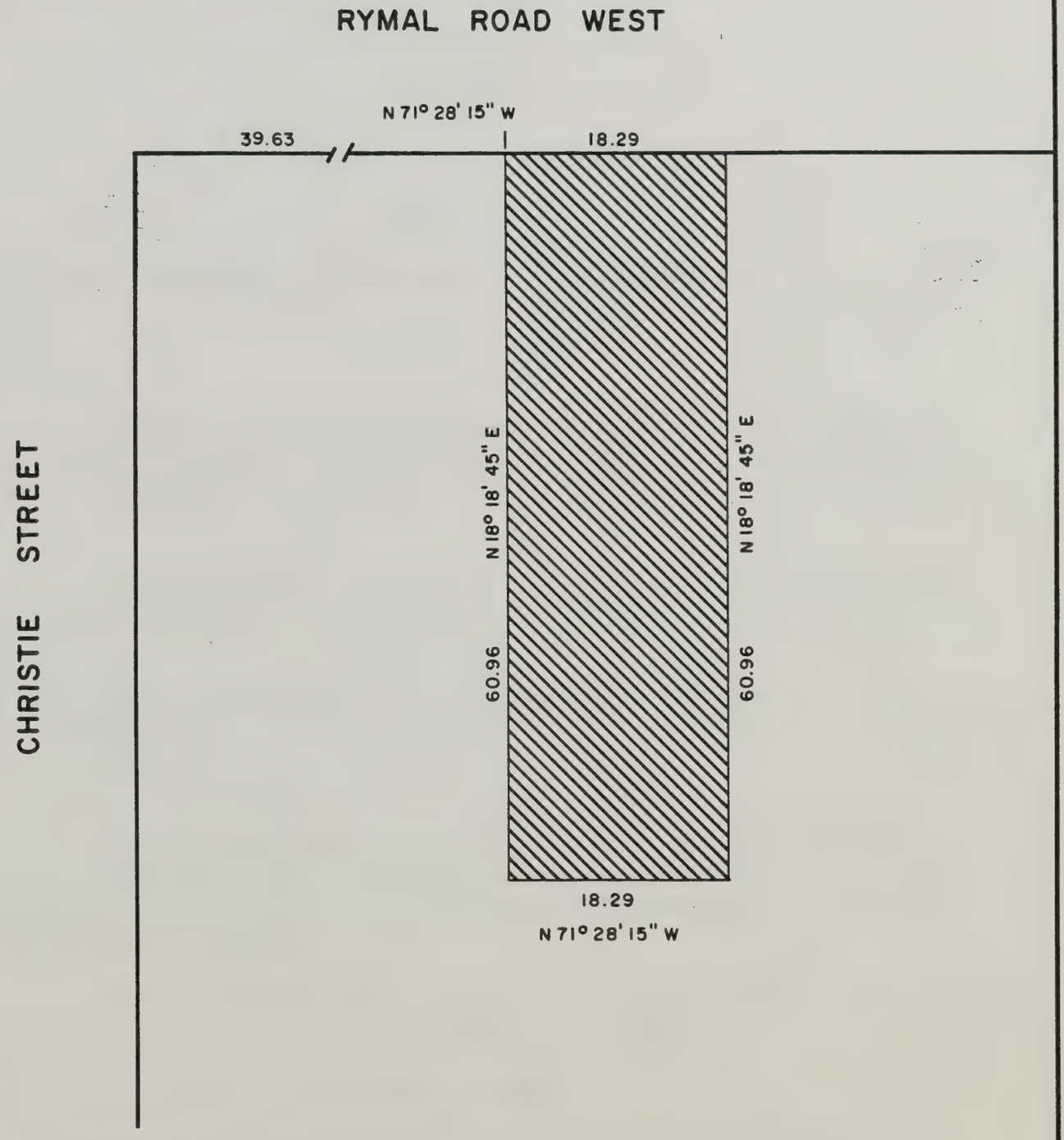
2. Appendix 155 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 28th day of March A.D. 1995

CITY CLERK

MAYOR

(1995) 5 R.P.D.C. 2, January 31
Gerald Coleman and Robert Coleman, Owners
ZAC-94-27



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-075.
Passed the 28th day of March, 1995.

Clerk

Mayor

City of Hamilton

Appendix 155

to By-Law No. 79-275

as Amended by By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands designated under this By-Law as an area of Site Plan Control pursuant to section 41 of the Planning Act, R.S.O., 1990.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-27
	Date	Drawn By
	JANUARY 1995	Z.K.

Bill No. C-25

The Corporation of the City of Hamilton

BY-LAW NO. 95-076

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 71 RYMAL ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding the provisions of Section 9(1) of Zoning By-law No. 6593, only the following uses shall be permitted:

(i) a photographer's studio;

(ii) one residential dwelling unit in the same building as the photographer's studio; and

(iii) a wall sign having a maximum area of $4m^2$;

(b) a landscaped planting strip having a minimum width of 3.0 m, and a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly property line;

(c) a landscaped planting strip having a minimum width of 1.2 m, and a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the westerly property line where it adjoins a residential district, except that no visual barrier shall be situated closer than 3.0 m in distance from the front lot line;

(d) notwithstanding the provisions of Section 18A (14a) and (14g) of Zoning By-law No. 6593, parking may be provided in the required front yard and not less than 15% of the gross area of the front yard shall be used for landscaped area;

(e) notwithstanding the provisions of Section 18(4)(iv) of Zoning By-law 6593, the accessory shed is permitted within the required side yard but shall not be closer than 1.5m to the side lot line;

(f) notwithstanding the provisions of Section 18A (26) of Zoning By-law 6593, the access driveway must be at least 1.5m from the west property line;

(g) a landscape planting strip having a minimum width of 1.5m shall be provided and maintained along the street line (northerly property line), except for any area used for vehicular access.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1337.

4. Sheet No. W-9E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1337.

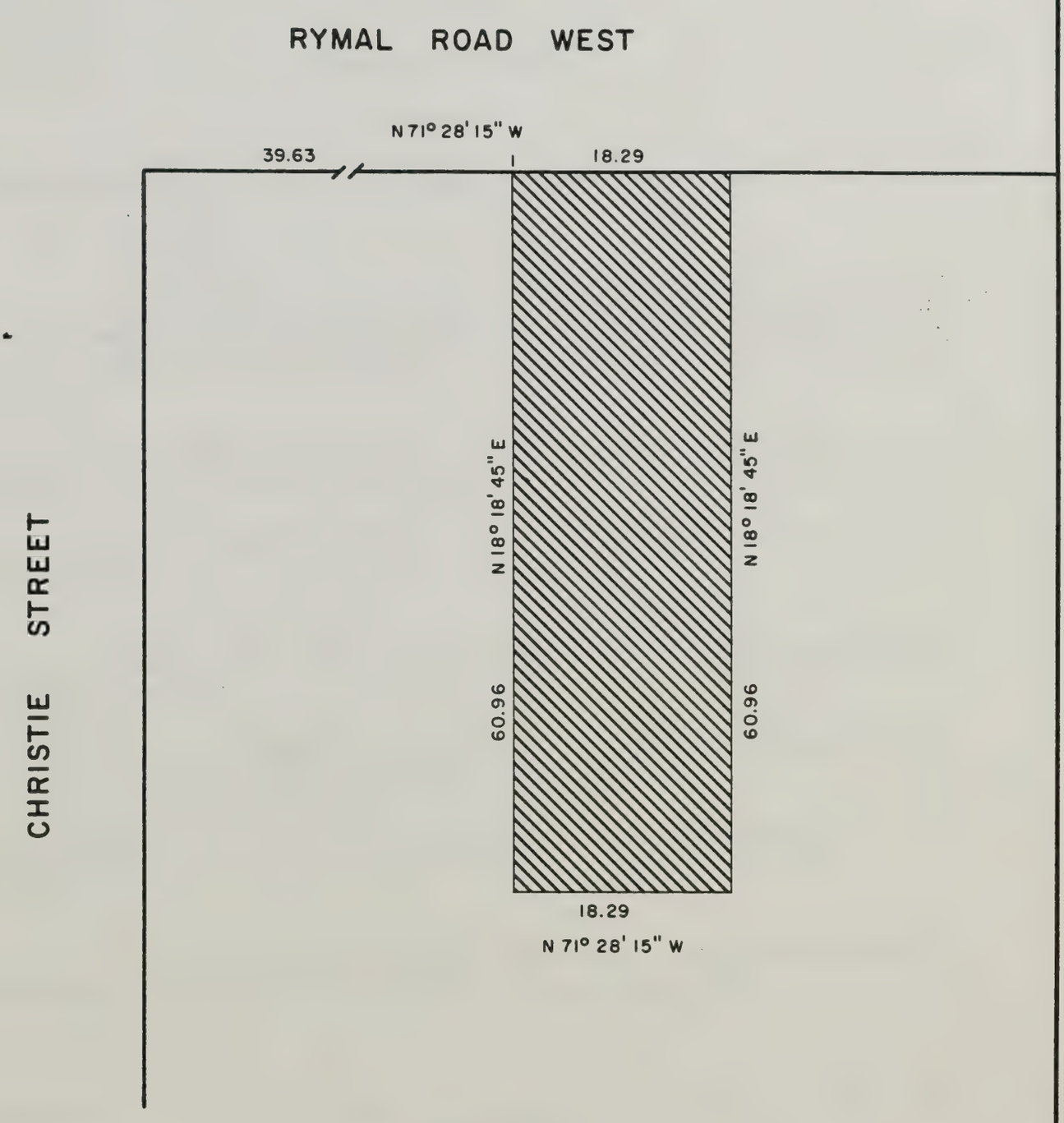
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of March A.D. 1995

CITY CLERK

MAYOR

(1995) 5 R.P.D.C. 2, January 31
(1995) 9 R.P.D.C. , March 28
Gerald Coleman and Robert Coleman, Owners
ZAC-94-27



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-076....
Passed the ..28th day of .....March..... , 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-.076..
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Modification to the "C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-27
	Date	Drawn By
	JANUARY 1995	Z.K.

Bill No. C-26

The Corporation of the City of Hamilton

BY-LAW NO. 95-077

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE REAR OF 144 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

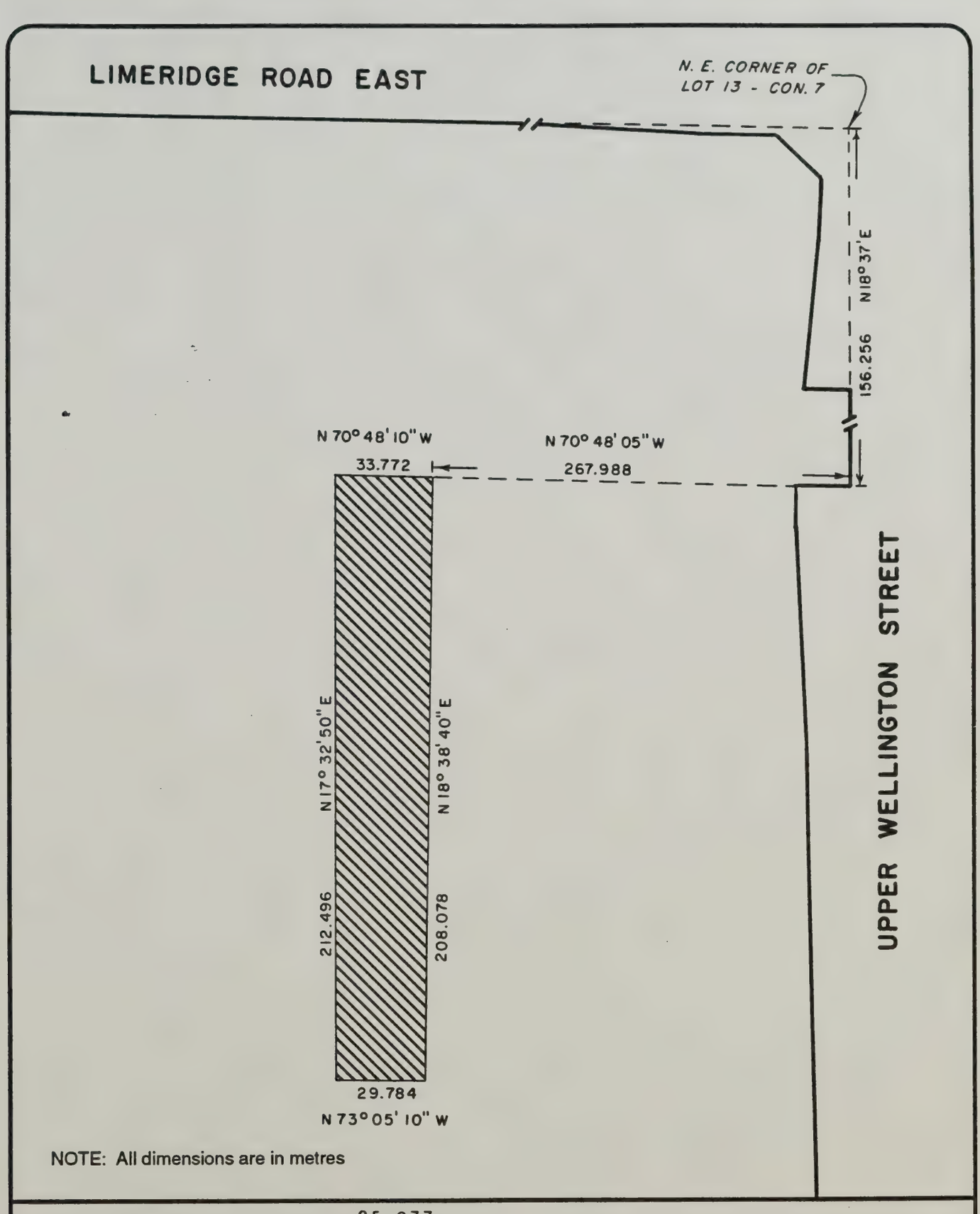
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of March A.D. 1995.

CITY CLERK

MAYOR

(1994) 14 R.P.D.C. 2, August 30, 1994
Constantine, Anna, Mark & Victoria Skypas,
Andrew and Irene Dabrowski, Owners,
ZAC-94-16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-077
Passed the 28th day of March, 1994.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-077
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 95-077

North	Scale	Reference File No.
	Not to Scale	ZAC-94-16
	Date	Drawn By
	AUGUST 1994	Z.K.

Bill No. C- 27

The Corporation of the City of Hamilton

BY-LAW NO. 95- 078

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE SOUTH-EAST CORNER OF STONE CHURCH ROAD EAST AND DICENZO DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, the land comprised in Block "1"; and

(b) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, modified, the land comprised in Block "2"; and

(c) by changing from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, modified, the land comprised in Block "3";

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. The "B-2" (Suburban Residential) District provisions, as contained in Section 8B. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 (b) and (c) are amended to the extent only of the special requirement that,

(a) notwithstanding Section 8B.(4) of Zoning By-law No. 6593, every lot or tract of land shall have a width of at least 15.0 metres and an area of at least 430 square metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-2" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1339.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 (b) and (c) of this by-law, S-1339.

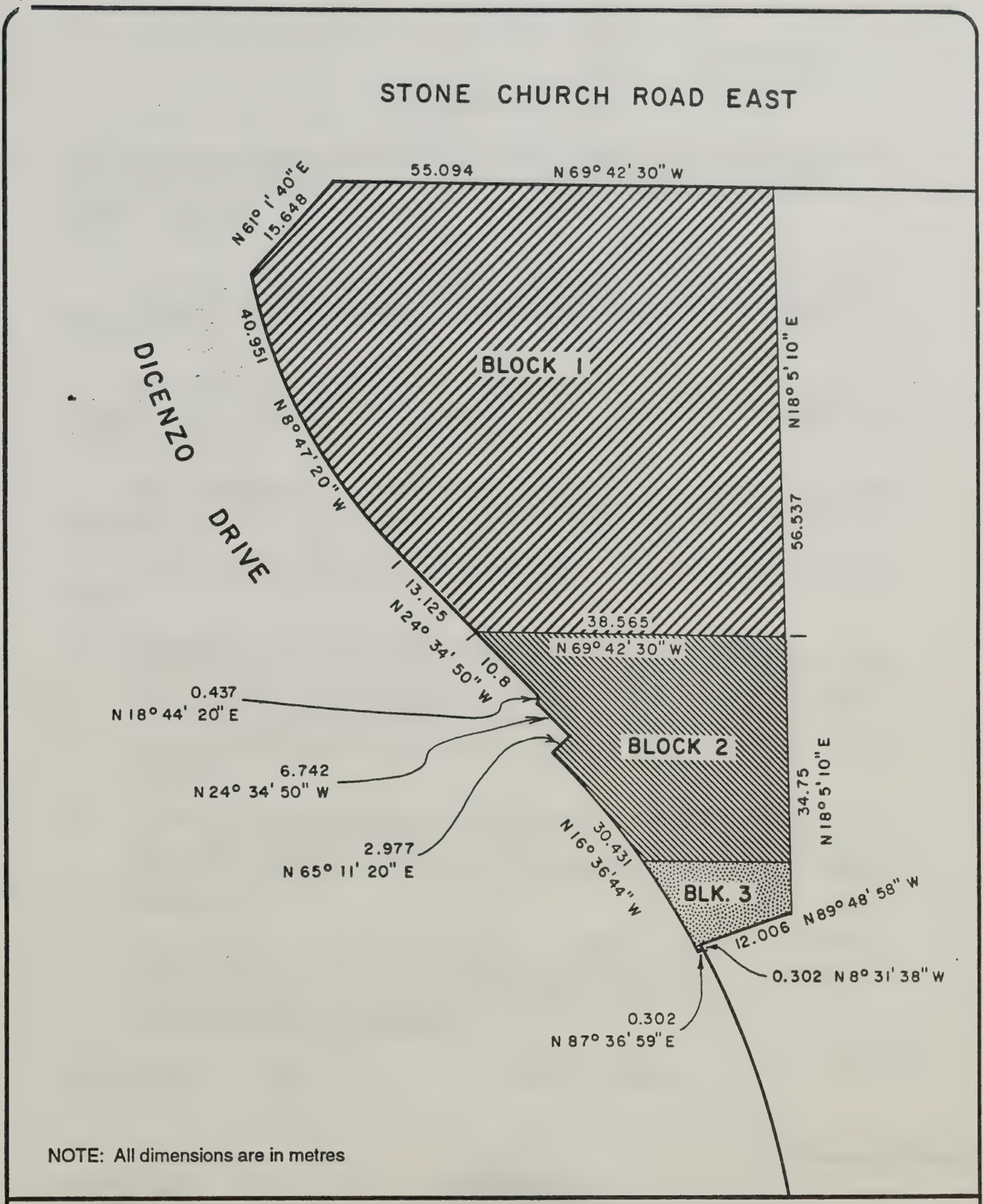
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of March A.D. 1995

CITY CLERK

MAYOR

(1995) 6 R.P.D.C. 1, February 14
J. and C. Martin, and The City of Hamilton, Owners
ZAC-94-29



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-..078..
Passed the ....28.th.day of .....March..... , 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-..078..
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

BLOCK 1 — "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District.

BLOCK 2 — "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, modified.

BLOCK 3 — "AA" (Agriculture) District to "B-2" (Suburban Residential) District, modified.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-29
	Date	Drawn By
	MARCH 1995	Z.K.

Bill No. D-23

BY-LAW NO. 95 - 079

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28th DAY OF MARCH A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of March A.D. 1995

CITY CLERK

MAYOR

CH 9 on 1st 1408
B91

Bill No. E-3

BY-LAW NO. 95-080

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF APRIL A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 6th day of April A.D. 1995

CITY CLERK

MAYOR

Bill No. A-27

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 081

TO ALTER HUNTER STREET BETWEEN JAMES AND JOHN STREETS BY NARROWING THE PAVEMENT

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act. Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highway known as Hunter Street is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 20 of the 4th Report of the Transport and Environment Committee on March 14, 1995, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Hunter Street as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out to Hunter Street between James and John Streets, for the purpose of narrowing the travelled portion of the said street from the existing width of 19.05 m to a width varying from 7.5 m to 14.5 m as illustrated in Schedule "A" attached hereto.

2. That the Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 11th day of April , 1995.

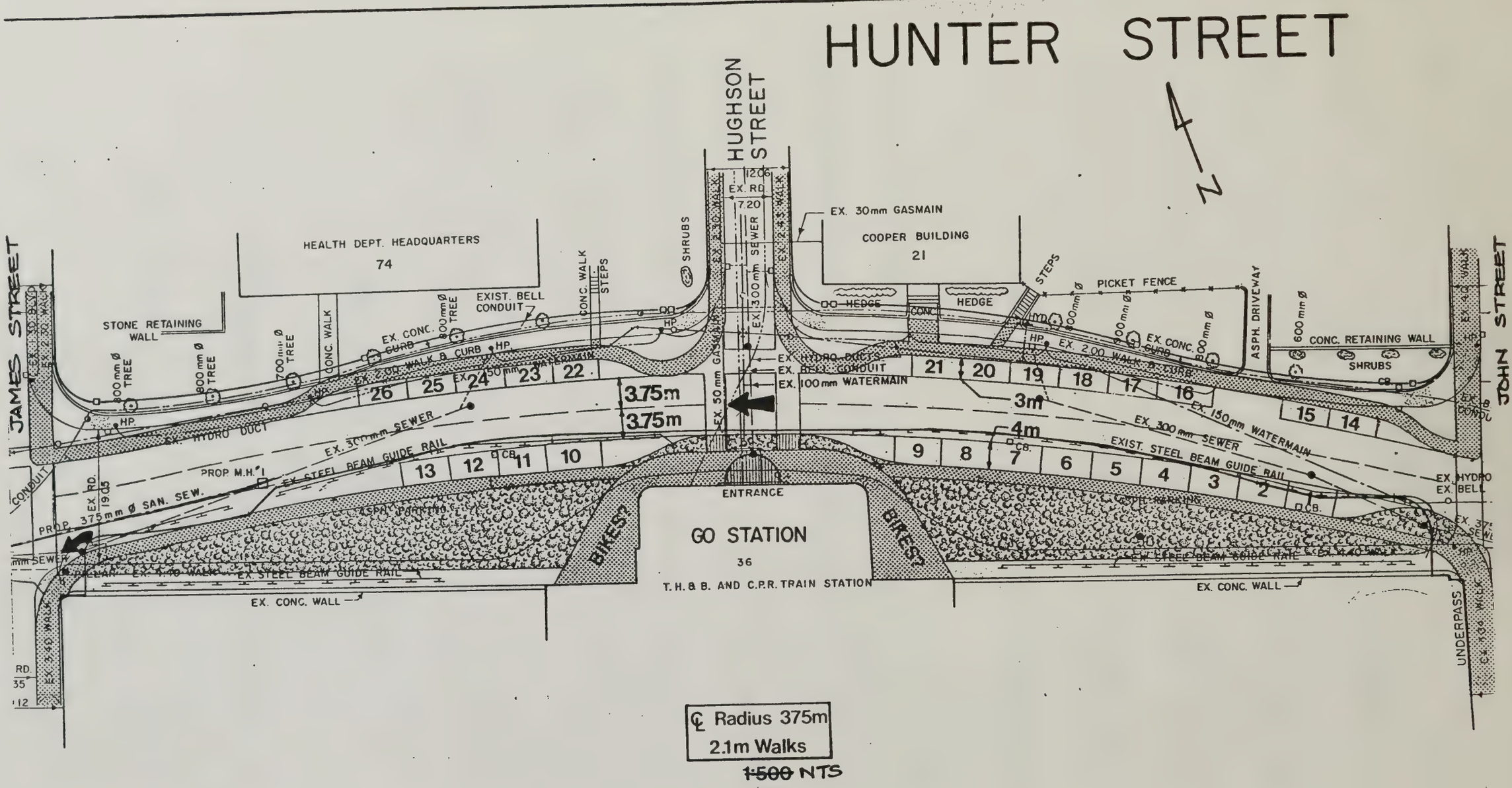
R. B. Hollowell

CITY CLERK

MAYOR

(1995) 4 R.T.E.C. 20, March 14

SCHEDULE



Schedule "A" of By-law 95-081

Bill No. A-28

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-082

TO INCORPORATE CITY LAND DESIGNATED AS PART 8, PLAN 62R-13077 INTO ARTISTIC BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Artistic Boulevard within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Artistic Boulevard.

Part of Lot 3, Concession 6, in the geographic township of Barton, designated as Part 8, Plan 62R-13077.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of April A.D. 1995

D. J. Wollcott

ACTING City Clerk

Mayor

Bill No. A-29

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 083

TO INCORPORATE CITY LAND DESIGNATED AS PART 10, PLAN 62R-13077 INTO EMBASSY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Embassy Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Embassy Drive.

Part of Lot 3, Concession 6, in the geographic township of Barton, designated as Part 10, Plan 62R-13077.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of April A.D. 1995

J. T. Wolbourd

ACTING City Clerk

Mayor

Bill No. A-30

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-084

TO INCORPORATE CITY LAND DESIGNATED AS PART 7, PLAN 62R-11790 INTO DICENZO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Dicenzo Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Dicenzo Drive.

Part of Lot 14, Concession 8, in the geographic township of Barton, designated as Part 7, Plan 62R-11790.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of April A.D. 1995

D. J. Hollwell

ACTING City Clerk

Mayor

BILL NO. A - 31

BY-LAW NO. 95 - 085

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Francis	South	commencing at a point 165 feet west of Douglas to a point 18 feet westerly therefrom	Anytime
Francis	North	commencing at a point 156 feet east of Emerald to a point 19 feet easterly therefrom	Anytime
Case	South	commencing at a point 69 feet west of Ruth to a point 24 feet westerly therefrom	Anytime
Case	North	commencing at a point 170 feet west of Ruth to a point 23 feet westerly therefrom	Anytime".

and by deleting therefrom the following items, namely:-

"Ray	East	commencing at a point 68 feet north of Main to George	Anytime
Gibson	East	commencing at a point 354 feet south of Barton to a point 19 feet southerly therefrom	Anytime
Gibson	West	commencing at a point 360 feet south of Barton to a point 19 feet southerly therefrom	Anytime".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Rutledge	East	from a point 128 feet north of Independence to a point 156 feet northerly therefrom		Anytime
St. Steven	East	Marcella to Greenhill		Anytime
Picton	North	James to Hughson	1 pm - 4 pm	2nd Tues each month APRIL - NOV
Picton	South	James to Hughson	1 pm - 4 pm	2nd Thurs each month APRIL - NOV
James	East	Strachan to Burlington	1 pm - 4 pm	2nd Thurs each month APRIL - NOV
James	West	Strachan to Burlington	1 pm - 4 pm	2nd Tues each month APRIL - NOV".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"James	West	East".
Strachan to Burlington		

4. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following items, namely:-

"West 3rd	West	from 116 feet south of Richwill to the southerly end of the street	1 hr	8 am - 6 pm	Mon - Fri
West 3rd	East	Richwill to the southerly end (including the bulb of the Court)	1 hr	8 am - 6 pm	Mon - Fri
Ray	East	from 68 feet north of Main to George	2 hr	8 am - 6 pm	Mon - Sat
Napier	South	Queen to 149 feet east of Ray	3 hr	8 am - 8 am (24 hrs)	Mon - Sun
Napier	South	Ray to 149 feet east	2 hr	8 am - 8 am (24 hrs)	Mon - Sun
Winston	East	Royal to 111 feet north	2 hr	8 am - 6 pm	Mon - Fri
Cannon (north leg)	North	Hess to Caroline	1 hr	8 am - 6 pm	Mon - Fri".

and by deleting therefrom the following items, namely:-

"West 3rd	Both	Richwill to southerly end (including the bulb of the Court)	1 hr	8 am - 6 pm	Mon - Fri
Napier	South	Queen to Ray	2 hr	8 am - 8 am (24 hrs)	Mon - Sun
Beach	North	Norton to Gage	3 hr	8 am - 6 pm	Mon - Sat".

5. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended by deleting from the INBOUND Column the following items, namely:-

"Eva (E/S) 21 feet south of Eaglewood
Eleanor at Stonechurch
Eleanor between #78 and #84 (MB)
Eleanor between #170 and #180 (MB)".

PASSED this 11th day of April A.D. 1995.

A. R. Holland

ACTING CITY CLERK

MAYOR

BY-LAW NO. 95 - 086

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Lorne	Northbound and Southbound	Afton
Independence	Northbound and Southbound	Adler
Brucedale	Westbound	West 2nd
Queensdale	Westbound	West 2nd
Genesee	Westbound	West 2nd".

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Lynbrook	South	25 feet	190 feet west of the west curb line of Rolston	7:00 am - 6:00 pm Monday to Saturday
Royal	North	19 feet	61 feet west of Leland	8:00 am - 5:00 pm".

3. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Lynbrook	South	commencing at a point 215 feet west of the west curb line of Rolston to a point 206 feet westerly therefrom	7:00 am - 6:00 pm Monday to Saturday
Ray	West	Napier to 46 feet north	Anytime
Herkimer	North	commencing at a point 206 feet east of Locke to a point 54 feet easterly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Ray	West	Napier to 83 feet north	Anytime".

4. **Schedule 31 (School Bus Loading Zones)** is hereby amended by deleting thereto the following item, namely:-

"Brucedale	South	118 feet	commencing 77 feet west of East 5th	7:00 am to 6:00 pm Monday to Saturday".

PASSED this 11th day of April A.D. 1995.

D. B. Wellwood

ACTING CITY CLERK

MAYOR

Bill No. C-28

The Corporation of the City of Hamilton

BY-LAW NO. 95-087

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT

MUNICIPAL NO. 680 VAN WAGNER'S BEACH ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

   (a) notwithstanding Section 7A.(1)(c) of Zoning By-law No. 6593, a penny arcade with a maximum of 30 machines shall be permitted accessory to the public use of a theme park.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1338.

4. Sheets No. E-121 and E-122 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1338.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

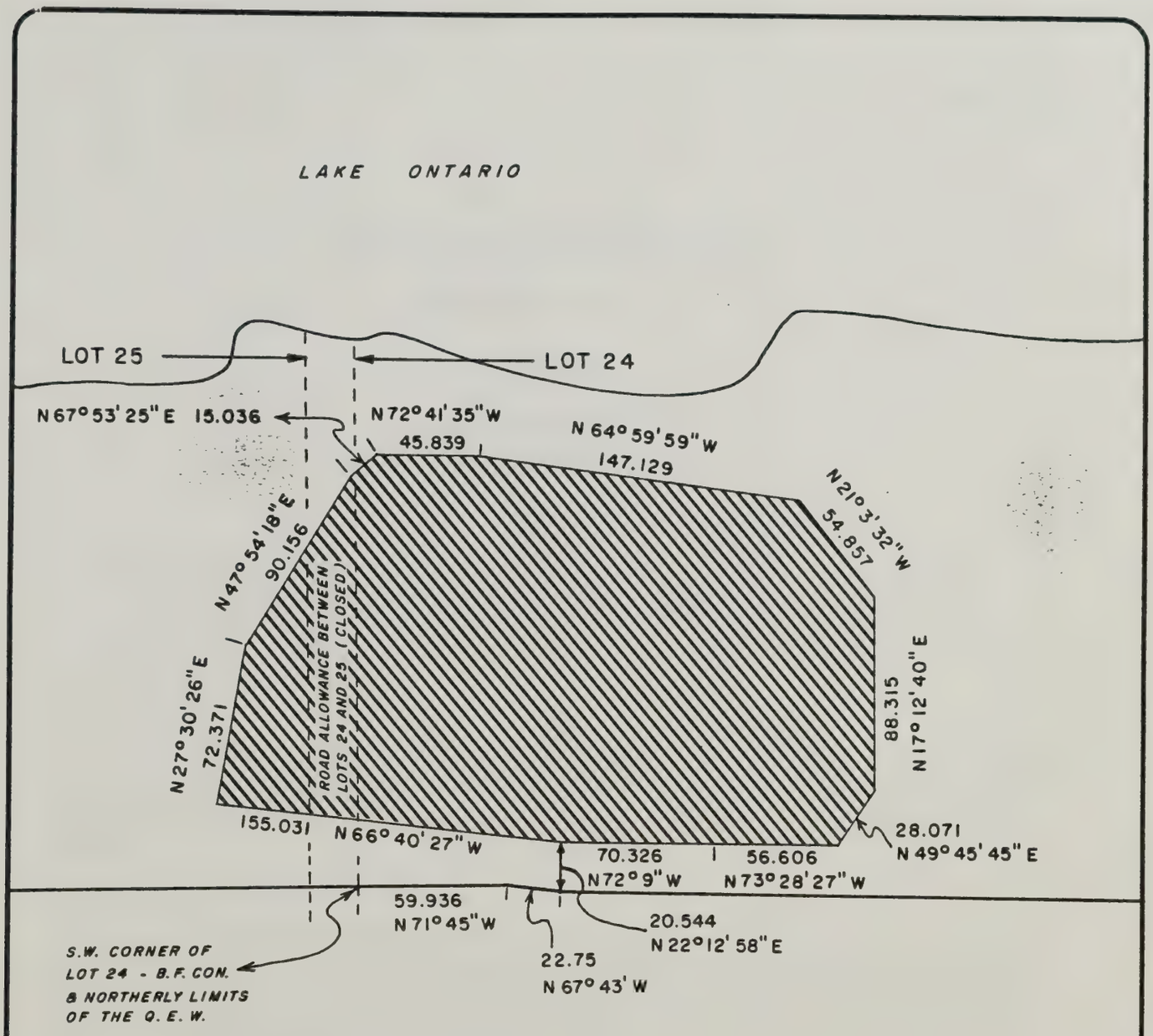
PASSED this 11th day of April A.D. 1995

A. T. Hollowell

ACTING CITY CLERK

MAYOR

(1995) 5 R.P.D.C. 1, January 31
The Regional Municipality of Hamilton-Wentworth, Owner
ZA-94-31



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-087
Passed the 11th day of April, 1995.

S. J. Wolland
Acting Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-087
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Modification to the "AA" (Agricultural) District.

North	Scale	Reference File No.
	Not to Scale	ZAR-94-31
	Date	Drawn By
	MARCH 1995	Z.K.

Bill No. C-29

The Corporation of the City of Hamilton

BY-LAW NO. 95- 088

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 91-124

Respecting:

LANDS LOCATED ON THE WEST SIDE OF LOCKE STREET SOUTH, BETWEEN KING STREET WEST AND MAIN STREET WEST (MUNICIPAL NOS. 18 TO 64 LOCKE STREET SOUTH)

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-124 on the 25th day of June 1991 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the lands located on the west side of Locke Street South from Municipal Numbers 18 to 64 Locke Street South, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 8th Report of the Planning and Development Committee at its meeting held on the 14th day of March 1995, recommended that Zoning By-law No. 6593, as amended by By-law No. 91-124, be further amended as hereinafter set out;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "**D**" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 91-124, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended as follows:

(a) Section 1.(c) of By-law No. 91-124 is deleted in its entirety.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1 of By-law No. 91-124 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1219a.

4. Sheet No. W-12 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 91-194 and section 1 of this by-law, S-1219a.

5. In all other respects, By-law No. 91-124 is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

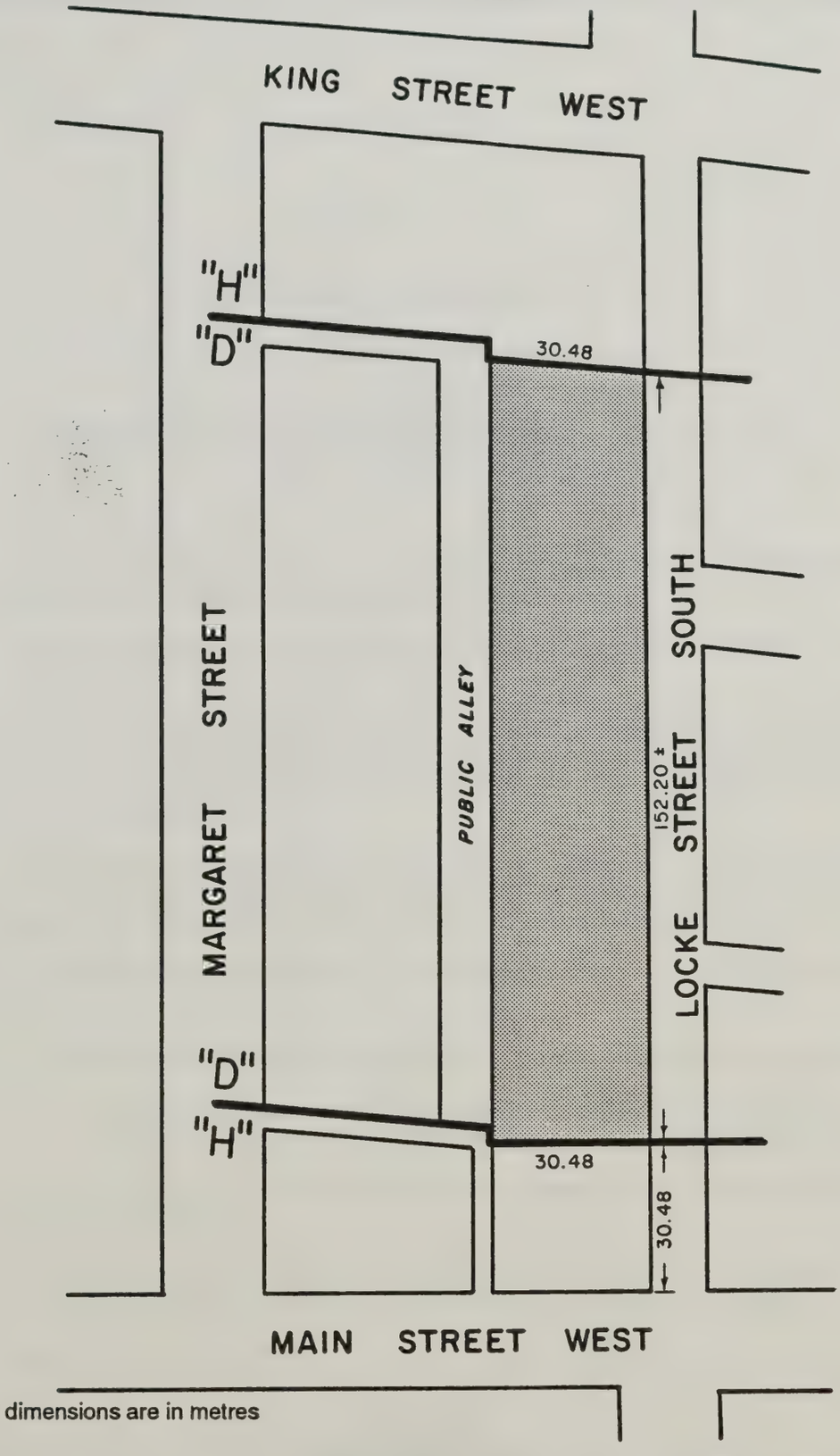
PASSED this 11th day of April A.D. 1995

D. B. McDowell

ACTING CITY CLERK

MAYOR

(1995) 8 R.P.D.C. 1, March 14
City Initiative 95-A



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-088
Passed the 11th day of April , 1995.

Acting Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-088
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Further modification to the established "D" district.

North	Scale	Reference File No.
	Not to Scale	C.I. 95-A
	Date	Drawn By
	MARCH 1995	Z.K.

Bill No. C-30

The Corporation of the City of Hamilton

BY-LAW NO. 95- 089

To Remove
Land within the Allison Estates, Phase 1 Subdivision, Plan 62M-778
from Part Lot Control

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

(7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

   Lots 1 to 10 inclusive and Lots 20 to 32 inclusive within Registered Plan Number 62M-778, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law is subject to the approval of the Council of The Regional Municipality of Hamilton-Wentworth.

   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED this 11th day of April A.D. 1995.

S. J. Holland

TING **CITY CLERK**

MAYOR

This Bylaw is approved pursuant to section 50(7),the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this day of 1995.

Commissioner of Planning and Development of The Regional Municipality of Hamilton-Wentworth

Bill No. D-24

The Corporation of the City of Hamilton

BY-LAW NO. 95-090

To Authorize

1995 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS Section 147 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to incur debts for the purposes of the municipality;

WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting the Report of the Committee of the Whole at its meeting held on March 9, 1995 authorized the projects appearing in Schedule "A" to this By-law;

AND WHEREAS the Trigeneration Project was approved at a gross cost of $6,064,500.00 and a debenture cost of $2,021,500.00 in 1994;

AND WHEREAS it is intended to increase the debenture cost of the Trigeneration Project to $3,685,500.00;

AND WHEREAS the financial commitments, liabilities and debt charges of the project listed in Schedule "A" and The Corporation of the City of Hamilton's other debts and debt charges will not exceed the City's debt limit as specified by the Municipal Act and Regulation 710/92;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The projects listed in Schedule "A" attach to and are part of this By-law and are hereby approved.

2. The City Treasurer is authorized to arrange the issuance of the necessary debentures to a maximum of $9,692,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City.

3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 11th day of April , 1995.

A. ?, Holbrook

ACTING CITY CLERK

MAYOR

(1995) R.C.W. March 9

SCHEDULE "A" TO BY-LAW NO. 95-090

	Project	Gross Cost	Subsidy Receipts	Capital Levy Financing	Net Debenture Authorization
9A	Trigeneration (C.U.P.) Infrastructure - Increased Costs	$ 1,664,000	$ -	$ -	$ 1,664,000
9	Major Maintenance to Civic Buildings	1,064,000	-	63,000	1,001,000
12	City Hall - Roof Replacement	318,000	-	-	318,000
85.0	Roadway and Sidewalk Reconstruction Program - Local Roads - Phase I	7,225,000	1,806,000	-	5,419,000
85.1	Roadway and Sidewalk Reconstruction Program - Local Roads - Phase II	1,300,000	325,000	-	975,000
141.0	Gore Park Walkway Restoration	315,000	-	-	315,000
		$11,886,000	$ 2,131,000	$ 63,000	$ 9,692,000

Bill No. D-25

BY-LAW NO. 95 - 091

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11th DAY OF APRIL A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of April A.D. 1995

D. J. McDonald

ACTING CITY CLERK

MAYOR

CA4 ON HBL A03
B91

Bill No. D-26

The Corporation of the City of Hamilton

BY-LAW NO. 95- 092

To Amend By-law No. 82-203

Respecting

THE PROCEDURAL BY-LAW

WHEREAS By-law No. 82-203 was enacted by Council on the 28th day of September 1982 as the City's Procedural By-law;

AND WHEREAS the Planning and Municipal Act and Statute Law Act, S.O. 1994, Chapter 23, requires municipalities to amend their procedural by-laws to comply with the requirements of the Act;

AND WHEREAS Council, on 1995 April 25, in adopting Item No. 10 of the Twelfth Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. By-law No. 82-203 is amended by changing the preamble to read:

   To Regulate the Proceedings of the Municipal Council and Committees of the City of Hamilton.

2. Subsection (1) of Section 2 of By-law No. 82-203 is repealed and replaced by the following:

   "2. (1) The Regular Meetings of City Council shall, unless otherwise ordered and except as provided in subsection 2, be held at the City Hall on the second and last Tuesday of every month at seven-thirty o'clock p.m., except for the months of June, July, August and September, when one meeting only shall be held on the last Tuesday in each of the months and the month of December when one meeting only shall be held on the second Tuesday."

3. By-law No. 82-203 is amended by adding the following section:

   "29A. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting."

4. Section 42 of By-law No. 82-203 is repealed and replaced by the following:

   "42. The release of municipal information shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act."

5. Section 43 of By-law No. 82-203 is repealed and replaced by the following:

   "43. (1) Meetings of standing committees and committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:

   (a) the security of the property of the City of Hamilton or a local Board;

   (b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition of land for municipal or local board purposes;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a council or committee has authorized a meeting to be closed under another Act.

(h) the consideration of a request under the Municipal Freedom of Information Act and the Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.

(2) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:

(a) the fact of the holding of the closed meeting, and

(b) the general nature of the matter to be considered at the closed meeting.

(3) A meeting shall not be closed to the public during the taking of a vote.

(4) Despite subsection 3 and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,

(a) Section 43(1) of this By-law permits the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

6. Section 44 is repealed and replaced with the following:

"44. The short title of this By-law is "**The Procedural By-law**"."

7. By-law No. 82-203 is amended by repealing Sections 45 and 46.

PASSED this 25th day of April 1995.

CITY CLERK

MAYOR

Bill NO. D-28

The Corporation of the City of Hamilton

BY-LAW NO. 95- 093

TO FIX THE RATES OF TAXATION FOR MUNICIPAL PURPOSES FOR THE YEAR 1995

WHEREAS the Estimates for the year 1995 which set forth the revenues and expenditures of the Corporation of the City of Hamilton, were approved by the Council of the Corporation of the City of Hamilton on April 6, 1995 and

WHEREAS it is necessary to impose rates of taxation for the year 1995,

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. That there shall be levied and raised on the whole of the rateable property of the Corporation of the City of Hamilton in the amount of $1,004,699,168.00, of which $602,177,741.00 is Residential assessment and $402,521,427.00 is Non-residential assessment, the following rates of taxation:

(1) For general municipal purposes 123.6957 mills producing	$124,276,960.00
(2) The amount to be levied and raised against "residential" assessments in the amount of $602,177,741.00 as required by The Municipal Act shall be reduced by $11,173,050.00 or 18.5544 mills in accordance with Section 9(3a) of The Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38	$ 11,173,050.00
	$113,103,910.00

2. The rate to be levied against "residential" assessments as required by The Municipal Act for Municipal purposes is 105.1413 mills on the dollar.

3. The rate to be levied against "non-residential" assessments as required by The Municipal Act for Municipal purposes is 123.6957 mills on the dollar.

4. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 25th day of April A.D., 1995.

CITY CLERK **MAYOR**

Bill NO. D-29

The Corporation of the City of Hamilton

BY-LAW NO. 95-094

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1995

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to The Corporation of the City of Hamilton for $127,581,321.00 representing the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1995.

WHEREAS after the deduction of $9,328,440.00 of 1995 estimated shared revenues, the funds for which have been provided in the City of Hamilton 1995 Estimates, and the addition of the 1994 underlevy in the amount of $231,760.00, it is intended to levy against the ratepayers of the City of Hamilton the resulting net amount of $118,484,641.00 for the year 1995.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1995 levy, in the amount of $127,581,321.00 is hereby adopted as part of the 1995 Estimates of The Corporation of the City of Hamilton.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $1,004,699,168.00 of which $602,177,741.00 is Residential assessment and $402,521,427.00 is Non-residential assessment, the following rates of taxation:

(1) for Regional purposes 129.5803 mills producing	$130,189,220.00
(2) the amount to be levied and raised against "residential" assessments in the amount of $602,177,741.00 as required by The Municipal Act shall be reduced by $11,704,580.00 or 19.4371 mills in accordance with Section 9(3a) of The Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38	$ 11,704,580.00
	$118,484,640.00

(3) the rate to be levied against "residential" assessments as required by The Municipal Act for Regional purposes is 110.1432 mills on the dollar

(4) the rate to be levied against "non-residential" assessments as required by The Municipal Act for Regional purposes is 129.5803 mills on the dollar

(5) this by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 25th day of April A.D., 1995.

CITY CLERK

MAYOR

BILL NO. D-30

The Corporation of the City of Hamilton

BY-LAW NO. 95- 095

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1995

WHEREAS the estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for school purposes, have been submitted to the Finance and Administration Committee the City of Hamilton.

WHEREAS it is necessary to impose rates of taxation for the year 1995 for school purposes.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows,

1. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $1,004,699,168.00, of which $602,177,741.00 is Residential assessment and $402,521,427.00 is Non-residential assessment, the following rates of taxation,

(a) for Public School elementary purposes 141.2354 mills on all rateable property in the amount of $742,641,656.00, of which $429,955,158.00 is Residential assessment and $312,686,498.00 is Non-residential assessment, liable for Public School rates as requested to be levied by the Board of Education for the City of Hamilton producing	$104,887,290.00
(b) for Separate School elementary purposes 141.2354 mills on all rateable property in the amount of $262,057,512.00, of which $172,222,583.00 is Residential assessment and $89,834,929.00 is Non-residential assessment, liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing	37,011,800.00
(c) for Public School secondary purposes 91.0312 mills on all rateable property in the amount of $742,641,656.00 of which $429,955,158.00 is Residential assessment and $312,686,498.00 is Non-residential assessment, liable for Secondary School rates as requested to be levied by the Board of Education for the City of Hamilton producing	67,603,560.00

(d)	for Separate School Secondary purposes 91.0312 mills on all rateable property in the amount of $262,057,512.00 of which $172,222,583.00 is Residential assessment and $89,834,929.00 is Non-residential assessment liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing	23,855,410.00
		$233,358,060.00
(e)	The amount to be levied and raised against "residential" assessments in the amount of $429,955,158.00 determined as required by The Municipal Act shall be reduced by $9,108,730.00 or 21.1853 mills which is the amount of the estimated revenue from payments to be received by the Board of Education of The Corporation of the City of Hamilton in 1995 for elementary school purposes under The Education Act, R.S.O. 1990, Chapter E. 2	$ 9,108,730.00
(f)	The amount to be levied and raised against "residential" assessments in the amount of $172,222,583.00 as required by The Municipal Act shall be reduced by $3,648,590.00 or 21.1853 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1995 for elementary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	3,648,590.00
(g)	The amount to be levied and raised against "residential" assessments in the amount of $429,955,158.00 determined as required by The Municipal Act shall be reduced by $5,870,900.00 or 13.6547 mills which is the amount of the estimated revenue from payments to be received by The Board of Education of The Corporation of the City of Hamilton in 1995 for secondary school purposes under The Education Act, R.S.O. 1990, Chapter E. 2	5,870,900.00
(h)	The amount to be levied and raised against "residential" assessments in the amount of $172,222,583.00 determined as required by The Municipal Act shall be reduced by $2,351,640.00 or 13.6547 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1995 for secondary school purposes under The Education Act, R.S.O. 1990, Chapter E. 2	2,351,640.00
		$212,378,200.00

2. The Education rate to be levied against "residential" assessments as required by The Municipal Act for:

(a) Public School supporters is 197.4266 mills on the dollar, and

(b) Separate School supporters is 197.4266 mills on the dollar.

3. The Education rate to be levied against "non-residential" assessments as required by The Municipal Act for:

(a) Public School supporters is 232.2666 mills on the dollar, and

(b) Separate School supporters is 232.2666 mills on the dollar.

4. The By-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 25th day of April A.D., 1995.

CITY CLERK **MAYOR**

BILL NO. D-31

The Corporation of the City of Hamilton

BY-LAW NO. 95-096

TO FIX THE TOTAL RATES OF TAXATION FOR MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1995

WHEREAS the Council of The Corporation of the City of Hamilton has approved By-laws 95-093, 95-094 and 95-095 being By-laws to impose rates of taxation for the year 1995 for:

(a) Municipal purposes

(b) Regional purposes

(c) Education purposes

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments as required by The Municipal Act:

   (a) by Public School supporters is 412.7111 on the dollar, and

   (b) by Separate School supporters is 412.7111 on the dollar.

2. The total rate to be levied against "non-residential" assessments as required by The Municipal Act:

   (a) by Public School supporters is 485.5426 on the dollar, and

   (b) by Separate School supporters is 485.5426 on the dollar.

3. This By-law comes into force on the date on which it is enacted by The Council of The Corporation of the City of Hamilton.

PASSED this 25th day of April A.D., 1995.

CITY CLERK

MAYOR

BILL NO. D-32

The Corporation of the City of Hamilton

BY-LAW NO. 95- 097

To Levy:

AN ANNUAL TAX ON TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA

WHEREAS Section 159 of the Municipal Act, R.S.O. 1990, Chap. M.45, empowers the Council of The Corporation of the City of Hamilton to levy on every telephone company doing business in Ontario an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of the City of Hamilton is in the amount of $133,097,519.00 the year ended the 31st day of December, 1994;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1995, be levied on the Bell Telephone Company of Canada Limited in the amount of $6,654,875.95.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section 382 of the Municipal Act on all the lands of The Bell Telephone Company of Canada.

PASSED this 25th day of April A.D., 1995.

CITY CLERK

MAYOR

Bill No. D-33

The Corporation of the City of Hamilton

BY-LAW NO. 95- 098

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 16 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $6,000.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $6,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No. 95-098

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $387,670.00

2. The Mill Rate for the special charge is calculated by: 15.4771

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1995 $6,000.00

Bill No. D-34

The Corporation of the City of Hamilton

BY-LAW NO. 95-099

To Authorize:

The Levy of a Special Charge

In Respect of:

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING KING STREET WEST AND THE AREA OF THE INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 12 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $25,000.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $25,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 95-099

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$663,550.00
2.	The Mill Rate for the special charge is calculated by:	37.6761
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1995	$25,000.00

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

Bill No. D-35

The Corporation of the City of Hamilton

BY-LAW NO. 95- 100

To Authorize:

The Levy of a Special Charge

In Respect of:

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN MARY STREET AND WELLINGTON STREET NORTH

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 10 of the 3rd Report of the Planning and Development Committee on January 10, 1995 approved the amount of $46,376.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $46,376.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 95-100

1. Total assessed value of all the real property in the area used as the basis for computing business assessment.	$927,144.00
2. The Mill Rate for the special charge is calculated by:	50.0202
a) dividing the approved estimates of the Board of Management by	
b) the total assessed value and	
c) multiplying the result by 1,000	
3. Approved estimate for 1995	$46,376.00

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

Bill No. D-36

The Corporation of the City of Hamilton

BY-LAW NO. 95- 101

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 18 of the 3rd Report of the Planning and Development Committee on January 10, 1995 approved the amount of $47,500.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $47,500.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 95-101

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $1,412,700.00

2. The Mill Rate for the special charge is calculated by: 33.6236

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1995 $47,500.00

PASSED this 25th day of April A.D. 1995

CITY CLERK MAYOR

Bill No. D-37

The Corporation of the City of Hamilton

BY-LAW NO. 95-102

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET BETWEEN EAST 18TH STREET AND EAST 25TH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 22 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $8,575.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $8,575.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 95-102

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $783,162.00

2. The Mill Rate for the special charge is calculated by: 10.9492

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1995 $8,575.00

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95 -103

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

To levy the Special Charges for 1995 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-Law 82-151

WHEREAS, pursuant to Section 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, the Board of Management for the Improvement Are has submitted Estimates for the year 1995:

AND WHEREAS, a Special Charge is to be levied to raise the sum equal to the total of the Estimates.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1995 in the amount of $84,000.00 are hereby approved.

2. In order to raise the said $84,000.00 there is hereby levied a mill rate of 10.6129 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:

   (1) The assessed value of all the real property in the Areas used as the basis for computing business assessment (known herein as "the Total Assessed Value") is $8,624,578.

   (2) The assessed value of the real property that is used as the basis for computing the business assessment for Kelloryn Hotels (Hamilton) Inc with respect to the hotel business known as "The Royal Connaught"

at 82 King Street East is	592,212
This is reduced by two-thirds	394,808
to produce the Reduced Assessed Value of that business:	**197,404**

   (3) The assessed value of the real property that is used as the basis for computing the business assessment of Premiere Hotels Ltd with respect to the hotel business known as "The Ramada Hotel"at 150 King Street East

is	472,351
This is reduced by two-thirds	314,901
to produce the Reduced Assessed Value of the business:	**157,450**

   (4) "The Reduced Total Assessed Value" is $8,624,578 - (394,808+314,901): $7,914,869

   (5) The Mill Rate for the Special Charge is calculated by:

      (a) dividing the approved estimates of the Board of Management, $84,000.00

(b) by the Reduced Total Assessed Value, $7,914,869 and

(c) multiplying the result by 1,000: 10.6129

3. The portion of the Special Charge which is to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

Bill No. D-39

The Corporation of the City of Hamilton

BY-LAW NO. 95 -104

To Authorize:

The Levy of a Special Charge

In Respect of:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST SIDES OF MAIN STREET WEST BETWEEN LOCKE STREET ON THE WEST AND QUEEN STREET ON THE EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 14 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $4,400.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $4,400.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 95-104

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$237,419.00
2.	The Mill Rate for the special charge is calculated by:	18.5326
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1995	$ 4,400.00

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

Bill No. D-27

BY-LAW NO. 95 - 105

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25th DAY OF APRIL A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of April A.D. 1995

CITY CLERK

MAYOR

CITY OF HBC 428
B 9,

Bill No. A-33

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAWNO. 95- *106*

TO STOP-UP, CLOSE AND RETAIN THE PUBLIC WALKWAY LOCATED BETWEEN 300 & 304 ST. ANDREWS DRIVE DESIGNATED AS BLOCK F, ON PLAN M-27

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the public walkway designated as Block F, on Plan M-27.

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the public walkway at St. Andrews Drive, described as;

   All of Block F, Plan M-27.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

   Is hereby stopped and closed.

2. That the soil and freehold of the said closed portion of alley, designated as Block F, on Plan M-27, be retained by The Corporation of the City of Hamilton.

3. That the Commissioner of Transportation and Environmental Services be authorized to submit this By-Law to the Minister of Municipal Affairs for approval.

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportion/Environmental Services is hereby authorized to register this By-Law.

PASSED this *9th* day of *May* A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- *107*
To Authorize:

1. The construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks:

   a) on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of #749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and,

   b) on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive, as described in Schedule "A";

2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

3. The preparation of plans, specifications, and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS the Council of The Corporation of the City of Hamilton did decide to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council, (Item 29 of the 5th Report of the Transport and Environment Committee on April 11, 1995);

AND WHEREAS the Council of The Corporation of the City of Hamilton did authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues,
(Item 14 of the 11 Report of the Finance and Adminstration Committee on April 11, 1995);

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of the Local Improvement Act, R.S.O. 1990, Chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, Chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, Chapter O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act, (section 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $263,620.

2. The portion of the estimated cost of the works in the amount of $222,092. shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre thereof (set out in Schedule "A" attached hereto,) shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in equal annual instalments until fully paid.

3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton,

   (a) to the extent sufficient to provide an amount not exceeding $222,092.;

   (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Transportation/Environmental Services is hereby authorized to,

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 9th day of May A.D. 1995.

CITY CLERK

MAYOR

(1995) 5 R.T.E.C. 29, April 11
(1995) 11 R.F.A.C. 14, April 11

SCHEDULE "A"

Construction of an independent concrete sidewalk

on the north side of Stone Church Road from Upper Gage Avenue to approximately 61 m west of Rambo Street (east limit of #749 Stone Church Road); from approximately 107 m west of Rambo Street to approximately 222 m west of Upper Sherman Avenue; from approximately 383 m west of Upper Sherman Avenue to approximately 26 m westerly (Hydro property) and,

on the south side of Stone Church Road from Upper Gage Avenue to approximately 83 m westerly (east limit of 41 Epic Place); from Leaway Avenue to Eleanor Avenue; and, from approximately 37 m west of Eleanor Avenue to approximately 30 m east of Ridgemount Drive,

at the estimated cost not exceeding the following:

City's Share	$ 41,528.
Abutting Owners' Share	222,092.
TOTAL ESTIMATED COST	$263,620.
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	$115.

BILL NO. A - 35

BY-LAW NO. 95 - *108*

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Upper Kenilworth		Northbound and Southbound	Landron
Lawfield		Northbound and Southbound	Windrush".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"King	North	Cline (west leg) to 204 feet east	Anytime".

3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Dunsmure	South	26 feet	25 feet east of St. Clair	7:00 am - 9:00 pm".

4. **Schedule 30 (Commercial Vehicle Loading Zones)** is hereby amended by added thereto the following item, namely:-

"Caroline	West	36 ft.	30 ft. north of Charlton	9:00 am - 5:00 pm Mon to Fri".

and by deleting therefrom the following item, namely:-

"Caroline	West	36 ft.	30 ft. north of Charlton	8:00 am - 6:00 pm".

5. **Schedule 31 (School Bus Loading Zones)** is hereby amended by deleting therefrom the following items, namely:-

"Bonaparte	South	80 feet	124 feet east of the east curb line of Brigade	7:00 am - 6:00 pm Monday to Saturday
Bonaparte	South	31 feet	111 feet east of the east curb line of Corsica	7:00 am - 6:00 pm Monday to Saturday".

and by adding thereto the following items, namely:-

"Bonaparte	South	120 feet	84 feet east of the east curb line of Brigade	7:00 am - 6:00 pm Monday to Saturday
Bonaparte	South	29 feet	82 feet east of the east curb line of Corsica	7:00 am - 6:00 pm Monday to Saturday".

PASSED this *9th* day of *May* A.D. 1995.

CITY CLERK

MAYOR

BILL NO. A -36

BY-LAW NO. 95 - *109*

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Caroline	West	commencing at a point 144 feet south of Markland to a point 17 feet southerly therefrom	Anytime
Park Row	East	commencing at a point 79 feet south of Roxborough to a point 21 feet southerly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Maplewood	South	from a point 39 feet west of Cedar to a point 20 feet westerly therefrom	Anytime".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Templemead	South & West	Independence to the south property line of No. 314 Templemead	Anytime
Highridge	North & West	North property line of No. 238 Highridge to a point 40 feet east of the west property line of No. 238 Highridge	Anytime".

and by deleting therefrom the following item, namely:-

"Highridge	North & West	from the north to west property lines of No. 238 Highridge	Anytime".

3. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following item, namely:-

"Leslie	Both	West 34th to West 35th	1 hr 8 am - 6 pm	Mon - Fri".

PASSED this *9th* day of *May* A.D. 1995.

CITY CLERK

MAYOR

Bill No. C-31

The Corporation of the City of Hamilton

BY-LAW NO. 95- *110*

To Adopt:

Official Plan Amendment No. 129

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 852 UPPER WENTWORTH STREET WITHIN THE BRULEVILLE NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 129 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 1A, January 10
Nicola Clarizio, Owner
ZAC-94-26

Amendment No. 129

to the

City of Hamilton Official Plan

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 129.

Purpose:

The purpose of this Amendment is to establish "Special Policy Area 68" for 852 Upper Wentworth Street to permit a mixed use commercial/residential building within the "Residential" designation.

Location:

The lands affected by this Amendment are known municipally as 852 Upper Wentworth Street, within the Bruleville Neighbourhood.

Basis:

The basis for permitting a mixed use commercial/residential building for this property is as follows:

1) The subject lands are located on a major arterial roadway; and,

2) The proposed mixed use development would be compatible with existing development in the surrounding area, including medical and dental offices, apartments and commercial. In addition, the lands to the north are designated "Commercial/Residential Conversion".

Actual Changes:

1) Schedule "B" - Special Policy Areas be revised by adding the subject lands as Special Policy Area 68, as shown on the attached Schedule "B" of this Amendment; and,

2) The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.63:

Bill No. C-32

The Corporation of the City of Hamilton

BY-LAW NO. 95- *111*

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 852 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 129, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "**C**" (Urban Protected Residential, etc.) District to "**C**" - '**H**' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 1; and

(b) by changing from "**AA**" (Agricultural) District to "**C**" - '**H**' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "**C**" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall be permitted:

(i) General offices and a kitchen cabinet showroom on the first and second floor and having a maximum total gross floor area of not more than 95.0 m^2 ;

(ii) One dwelling unit on the second floor; and

(iii) An unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the building;

(b) Section 18A(26) of Zoning By-law No. 6593 shall not apply; and

(c) a minimum 3.0 m wide landscape planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line of Block 1.

3. (a) The 'H' symbols referred to in section 1 shall be removed conditional upon the applicant applying for and receiving approval for a Site Plan Control Application.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1336.

6. Sheet No. E-18 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1336.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 9th day of May A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 1B, January 10
Nicola Clarizio, Owner
ZAC-94-26

Bill No. C-33

The Corporation of the City of Hamilton

BY-LAW NO. 95- *112*

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 852 UPPER WENTWORTH STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

   154. Land located at Municipal No. 852 Upper Wentworth Street, shown on Appendix 154 hereto annexed and forming part of this by-law.

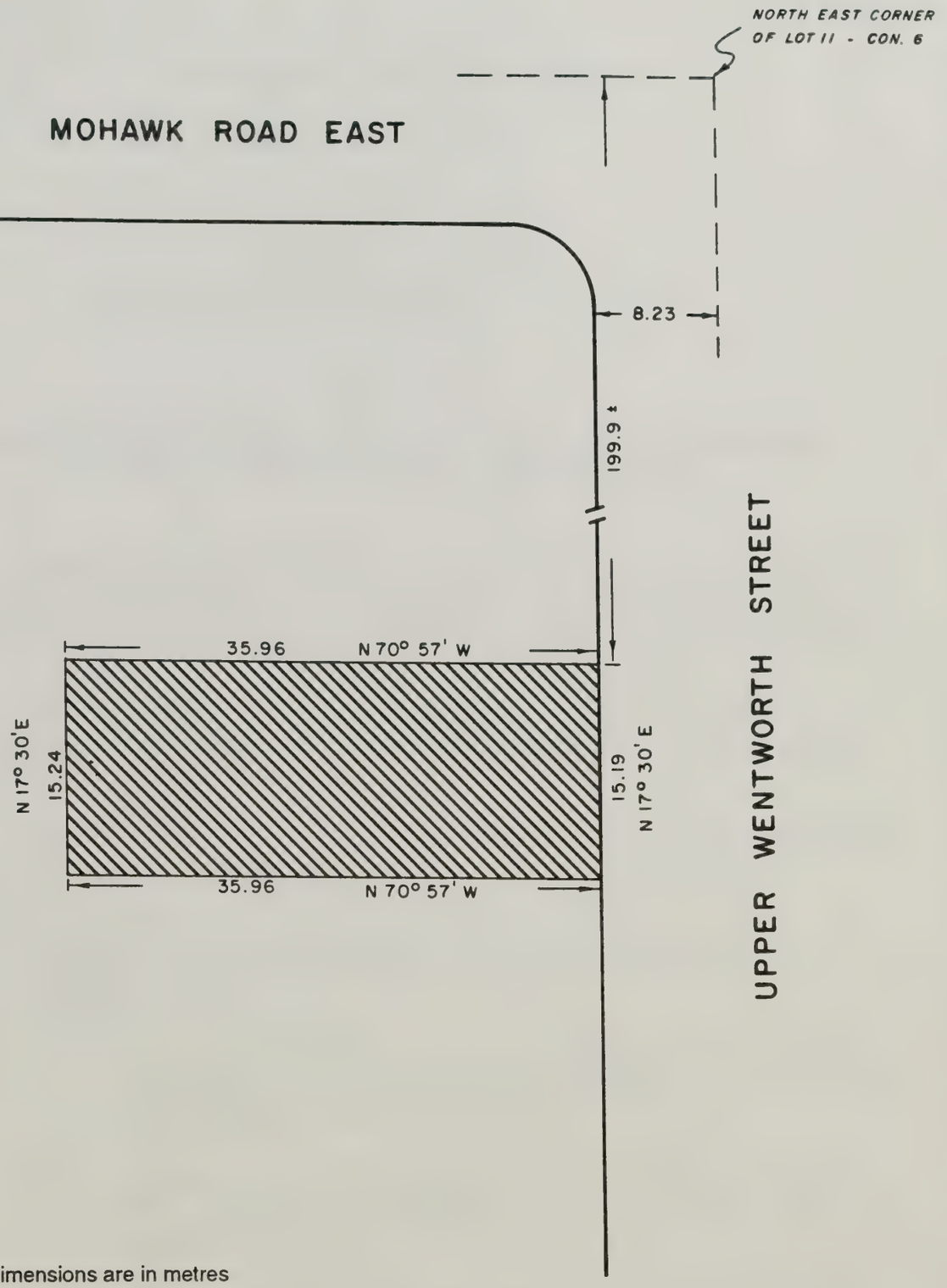
2. Appendix 154 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 1C, January 10
Nicola Clarizio, Owner
ZAC-94-26



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-112
Passed the 9th day of May, 1995.

Clerk

Mayor

City of Hamilton

Appendix 154

to By-Law No. 79-275

as Amended by By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands designated under this By-Law as an area of Site Plan Control pursuant to section 41 of the Planning Act, R.S.O., 1990.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-26
	Date	Drawn By
	JANUARY 1995	Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 95- *113*

To Amend:

Zoning By-law No. 6593
As Amended by By-laws No. 70-259, 73-291, 75-178,
83-169 and 84-101

Respecting:

LANDS LOCATED ON THE EAST SIDE OF UPPER OTTAWA STREET BETWEEN CARSON DRIVE AND LARCH STREET

WHEREAS the Ontario Municipal Board, in its Order dated the 26th day of September 1989, (File No. Z 880125), allowed an appeal with respect to the property, the extent and boundaries of which are shown on Schedule "A" hereto annexed and forming part of this by-law, and amended Zoning By-law No. 6593 as hereinafter provided;

AND WHEREAS the Ontario Municipal Board Order authorized, and it is desirable to record, the said amendments to the Zoning By-law in the form of this amending by-law for record-keeping purposes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton of the City of Hamilton enacts as follows:

1. Sheet No. E-59A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "**DE**" (Low Density Multiple Dwellings) District, modified, to "**G**" (Neighbourhood Shopping Centre, etc.) District, the lands comprised in Blocks 1 and 2; and

(b) by changing from "**G-3**" (Public Parking Lots) District, modified, to "**G**" (Neighbourhood Shopping Centre, etc.) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A", attached hereto and forming part of this by-law.

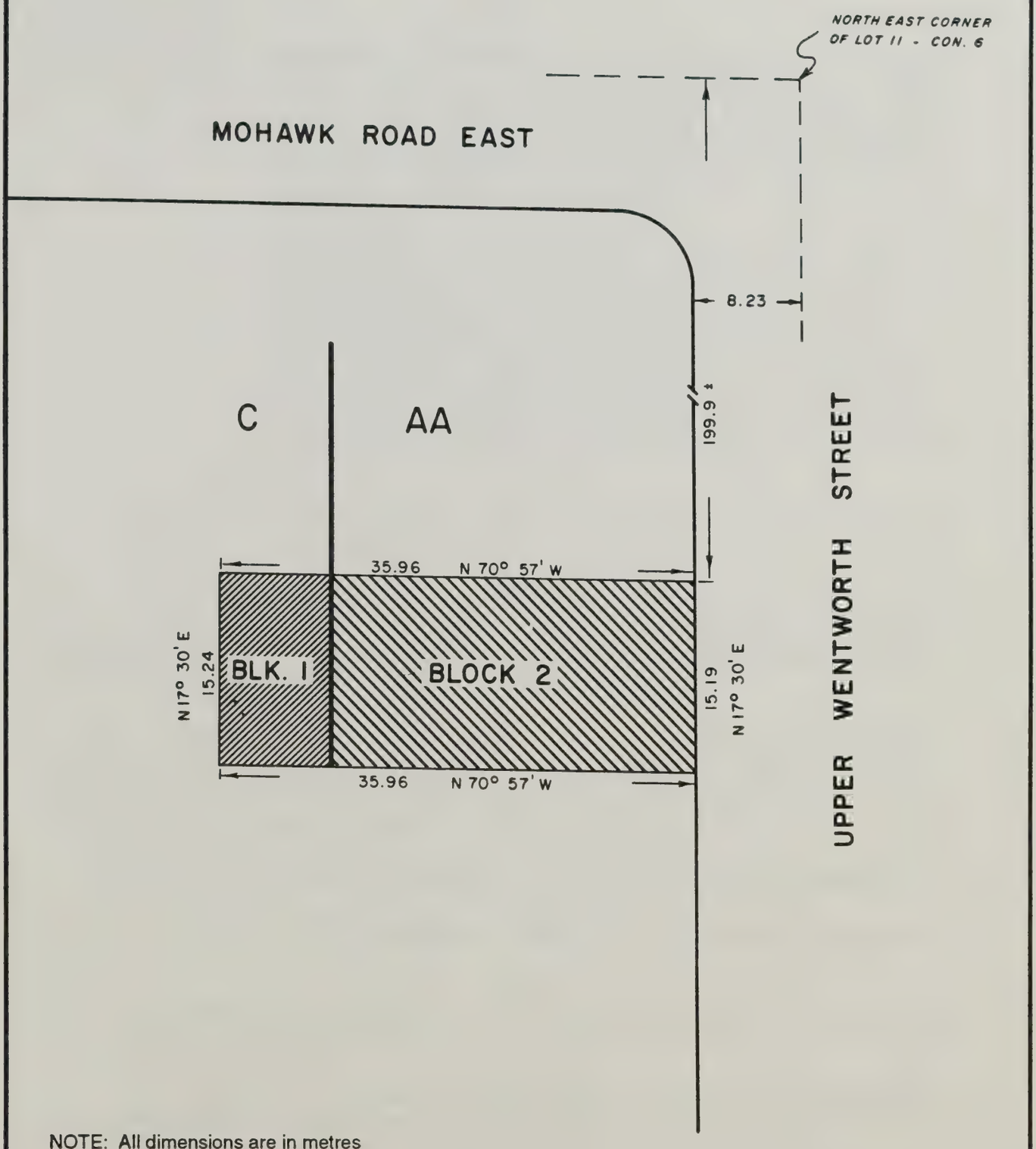
2. The "**G**" (Neighbourhood Shopping Centre, etc.) District provisions, as contained in Section 13 of Zoning By-law No. 6593, as amended by By-laws No. 70-259, 73-291, 75-178, 83-169 and 84-101, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements:

(a) the total floor area shall not exceed 5,951 m^2;

(b) notwithstanding Section 13(2) of By-law No. 6593, the height of any building or structure shall not exceed one storey;

(c) notwithstanding Section 13(3)(ii) of By-law No. 6593, a side yard of not less than 3.0 m shall be provided and maintained;

(d) notwithstanding paragraph 4 of Table 1 referred to in Section 18A.(1) of By-law No. 6593, not less than 292 parking spaces shall be provided and maintained;



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-111
Passed the 9th day of May, 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-111
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — Modification to the "C" (Urban Protected Residential, etc.) District.

BLOCK 2 — Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-26
	Date	Drawn By
	JANUARY 1995	Z.K.

(e) notwithstanding Section 18A.(11) and Section 18A.(12)(a) and (b) of By-law No. 6593, a landscaped strip not less than 6.0 m in width shall be provided and maintained along the southerly lot line of Block 1, and a landscaped strip not less than 6.0 m in width shall be provided and maintained along the easterly lot line of Block 1 where the parking area and loading spaces abut a residential district;

(f) notwithstanding Section 18A.(12)(c) of By-law No. 6593, the combination of a landscaped berm and visual barrier not less than 1.8 m in height but not more than 2.0 m in height shall be provided and maintained within the required 6.0 m landscaped strip along the southerly lot line of Block 1 and the combination of a landscaped berm and visual barrier not less than 1.8 m in height but not more than 2.0 m in height shall be provided and maintained along the easterly lot line of Block 1 where the parking area and loading spaces abut a residential district;

(g) no access (vehicular, pedestrian or otherwise) to or egress from Carson Drive shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 2 of this by-law.

4. (1) By-law No. 83-169, passed on the 1st day of June 1983 and approved by the Ontario Municipal Board by Order dated the 31st day of October 1983, (File No. R 831100), respecting land located on the east side of Upper Ottawa Street, north of Carson Drive, is hereby amended by revoking sections 2, 3, 4 and 5.

(2) In all other respects, By-law No. 83-169 is hereby confirmed, unchanged.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-413c.

6. Sheet No. E-59A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-413c.

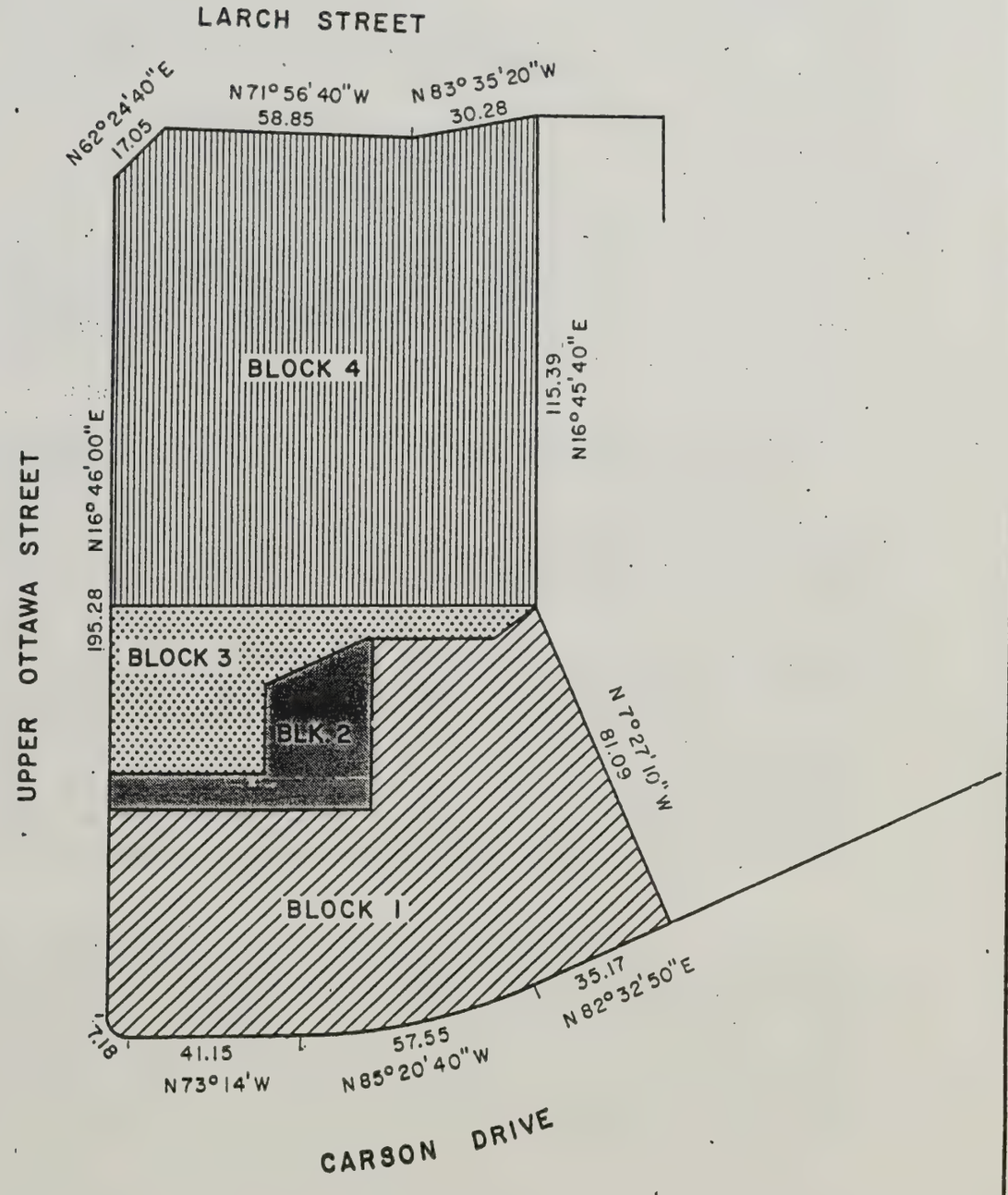
7. This by-law is enacted for record-keeping purposes in accordance with the Ontario Municipal Board Order dated the 26th day of September 1989, and these zoning amendments came into force and effect on the date of the said Order.

PASSED this *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

Ontario Municipal Board Order,
dated September 26, 1989



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 95-113
PASSED THE 9th DAY OF May

Clerk

Mayor

North	Scale	Reference File No.
	NOT TO SCALE	ZA 87-60
	Date	Drawn By
	DEC. 15, 1989	Z.K.

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 95-113

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND

Legend

CHANGE IN ZONING FROM:

BLOCK 1
BLOCK 2 — "DE" (LOW DENSITY MULTIPLE DWELLINGS) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.

BLOCK 3 — "G-3" (PUBLIC PARKING LOTS) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.

BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4 — LANDS TO BE REGULATED BY BY-LAW NO. 95-113

CA4 ON HBL A03
B91

The Corporation of the City of Hamilton

BY-LAW NO. 95- *114*

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws Nos. 70-259, 73-291
75-178, 83-169 and 84-101

Respecting:

LAND LOCATED AT MUNICIPAL NO. 969 UPPER OTTAWA STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 70-259 on the 8th day of September 1970 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D", "G", "DE" and "E-2" Districts, in respect of the land located in the area on the east side of Upper Ottawa Street between Mohawk Road and Limeridge Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 19th day of January 1971, (File No. R. 4130-70);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 73-291 on the 13th day of November 1973 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G" and "DE" Districts, in respect of the land located on the east side of Upper Ottawa Street in the area south of Larch Street and north of Carson Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 21st day of February 1974, (File No. R 74239);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 75-178 on the 24th day of June 1975 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G" District, in respect of the land located at the south-east corner of Upper Ottawa and Larch Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 27th day of July 1976, (File No. R 752514), with the exception of Section 2 of the said by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-169 on the 1st day of June 1983 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G-3" District, in respect of the land located on the east side of Upper Ottawa Street, north of Carson Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 31st day of October 1983, (File No. R 831100);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 84-101 on the 24th day of April 1984 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G" District, in respect of the land located at the south-east corner of Upper Ottawa Street and Larch Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 6th day of February 1984, (File No. R 752514);

AND WHEREAS By-law No. 95- *113* passed on the 9th day of May 1995, established special requirements under Section 19B of Zoning By-law No. 6593, for the "G" District, in respect of lands located on the east side of Upper Ottawa Street between Carson Drive and Larch Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) District provisions, as contained in Section 13 of Zoning By-law No. 6593, as amended by Zoning By-laws Nos. 70-259, 73-291, 75-178, 83-169 and 84-101, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 13 of By-law No. 6593, only one ground sign for shopping centre and/or business identification shall be permitted along Upper Ottawa Street only, subject to the following requirements:

(i) no sign shall be more than 7.4 m in height and every sign shall have a height of at least 1.8 m from the ground to the bottom of the sign;

(ii) no sign shall be more than 15.0 m^2 in area;

(iii) every sign shall be setback a minimum of 4.5 m from any lot line; and

(iv) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 2 of By-law No. 70-259, section 2 of By-law No. 73-291, section 2 of By-law No. 83-169, section 1 of By-law No. 84-101, section 2 of By-law No. 95- *113* and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-413d.

4. Sheet No. E-59A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-413d.

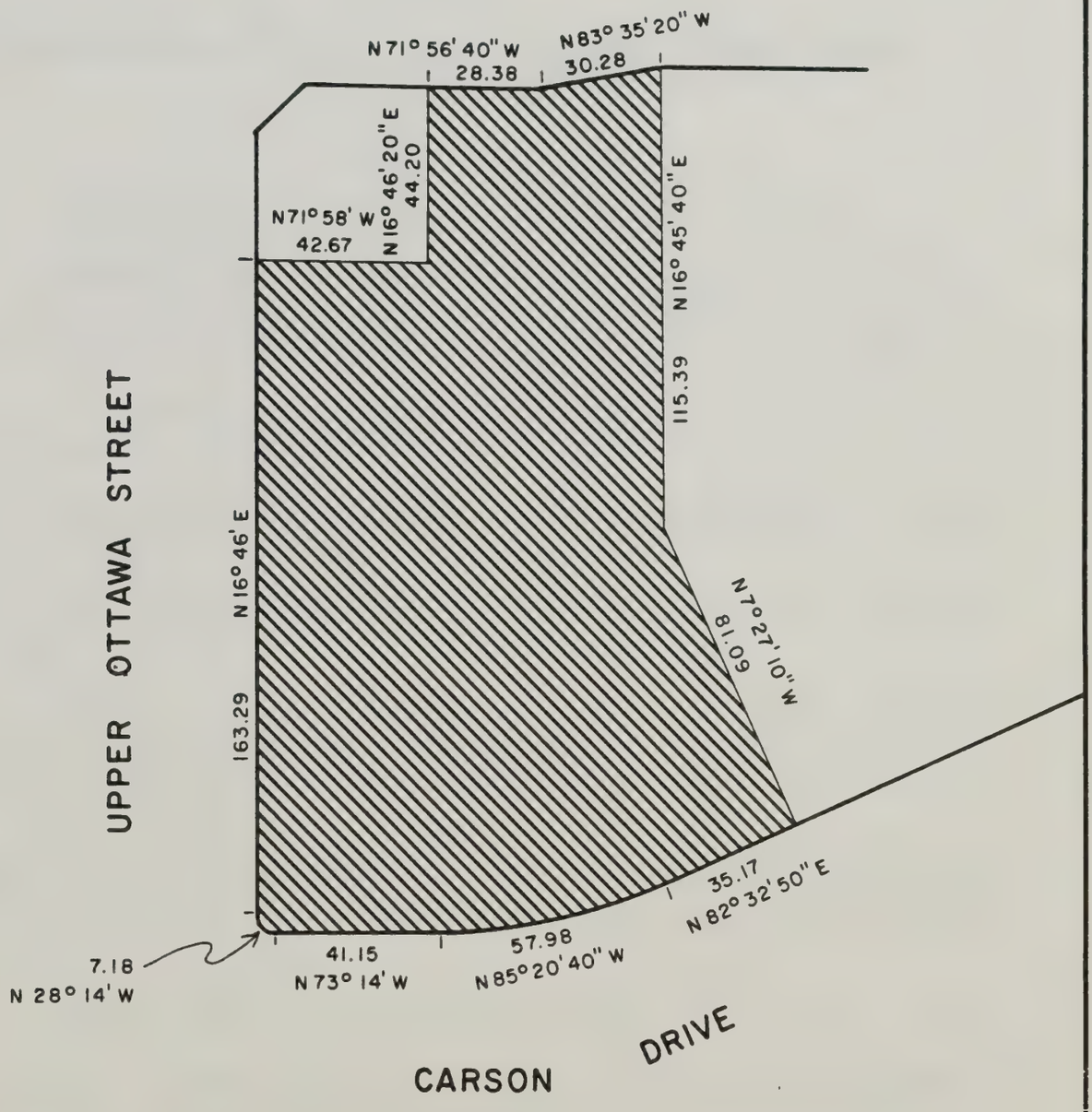
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

(1995) 10 R.P.D.C. 1, March 28
B.Y.M. Construction Limited,
(668674 Ontario Limited) and
Bergamot Holdings Limited, Owner
ZAR-95-03



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-..114...
Passed the ....9th.. day of .....May..... , 1995.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-..114..
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 95-..114.....

North	Scale	Reference File No.
	Not to Scale	ZAR-95-03
	Date	Drawn By
	MARCH 1995	Z.K.

Bill No. C- 36

The Corporation of the City of Hamilton

BY-LAW NO. 95- *115*

To Designate:

LAND LOCATED AT MUNICIPAL NO. 360 JAMES STREET NORTH (241 STUART STREET)

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 360 James Street North (241 Stuart Street) and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

   (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

   (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

(1994) 2 R.P.D.C. 8, December 14

Schedule "A"

To

By-law No. 95- *115*

Canadian National (CN) Railway Station

360 James Street North (241 Stuart Street), Hamilton, Ontario

ALL of Lots 1, 2, 3, 4 and Part of Lot 5 on the East side of James Street, and all of Lots 10, 11, 12, 13 and Part of Lot 9 on the West side of Hughson Street, all between Stuart and Strachan (formerly Oak) Streets; and Part of Lot 7 on the South side of Strachan Street; and all of Lot 14 on the North side of Stuart Street, and part of the 14 foot lane between James and Hughson Streets northerly of Stuart Street, and as closed by City By-law 3647 and described "Fourthly" in Registered Instrument 308900, all according to John Stinson's Survey and registered as Plan 24;

AND Part of Lot 13 and all of Lots 14, 15, 16, 17, 18, 19 and 20 on the West side of John Street, and Parts of Lots 13 and 19 and all of Lots 14, 15, 16, 17 and 18 on the East side of Hughson Street, all between Murray and Strachan Streets; all of Lots 15 and 16 on the South side and Lots 17 and 18 on the North side of Stuart Street; and Parts of Lots 23 and 24 on the South side of Strachan (formerly Oak) Street; and all of the Lots in the Block bounded by James, Stuart, Hughson and Murray (formerly Stinson) Streets; and that part of Hughson Street and those parts of Stuart Street as closed by City By-law 3647 and described respectively as "Firstly" and "Thirdly" - Parcels "B" and "C" as shown in registered Instrument 308900, all according to an un-registered Plan of Subdivision of Part of Lot 14, Concession 1, Township of Barton, known as Ebenezer Stinson's Survey, all now in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

The above lands being shown as Part 2 on Reference Plan (62)R-230.

Schedule "B"

to

By-law No. 95- *115*

Canadian National (CN) Railway Station

360 James Street North (241 Stuart Street), Hamilton

Context

Erected in 1929-31 along Hamilton's oldest rail corridor, the grand CN Station occupies a prominent site at the north-east corner of James and Murray. It effectively anchors the northern edge of the historic James North business district and provides convenient access to the North End residential neighbourhood and west harbourfront via the two contemporary road bridges flanking the station complex. One block to the west on Stuart Street overlooking the CN corridor and waterfront stands another city landmark: the 1850s stone Custom House.

The high visibility of the CN Station stems from the open space surrounding it on all four sides: notably, the original grass-covered plaza in front, which provides an unobstructed view of its impressive Beaux Arts facade. The monumental Doric portico boldly expresses the station's gateway function as a link between cities.

History

The predecessor of the CN Station, built in 1875 for the Great Western Railway and located west of Bay Street, was acquired by the Canadian National Railways in 1923. The construction of the James North station complex and five new bridges over the lowered tracks was initiated to replace the inadequate existing facilities and also to provide a more convenient terminal with improved traffic circulation and freight/ passenger services. Erected during a deep financial depression just as rail freight and passenger traffic was beginning a serious decline, Hamilton's long-awaited new facility rose as a symbol of CNR's early prosperity and optimism. The year of its completion, Canadian National's principal rival, the Toronto, Hamilton and Buffalo Railway, commenced construction of an equally impressive terminal and headquarters building south of the downtown core on Hunter Street East. Increasingly underutilized in recent years, the CN Station continued to serve as a passenger terminal for VIA Rail until 1992 and for GO Transit until 1993, when the building was finally closed. The GO trains, however, continue to use this stop while extensive renovations are in progress to convert the former TH&B Station to the new Hamilton GO Centre, scheduled to open in 1995.

Architecture

The CN complex consists of three main masses: the two-storey station with two lower levels opening onto the south embankment of the rail cut, the concourse extending from the rear of the main floor lobby out over the tracks, and the one-storey express building on the east side at track level. Designed by CNR architect, John Schofield, the Hamilton station represents a relatively late example of Beaux Arts Classicism, distinguished by its restrained elegance. A strong stylistic precedent for the design of major Canadian railway stations in this style was established by Ottawa's Union Station of 1908-10 followed by Toronto's Union Station, designed in 1913-14 and completed in 1920. Characteristic of the best Beaux-Arts stations, the imposing architectural treatment of both the exterior and interior public areas of the

Hamilton terminal is skilfully integrated with a clear axial plan, which accommodates equally well the passenger and operational functions. The main floor was designed for smooth traffic flow from the entrance lobby to the concourse, with services located in the lateral axes. The concourse set at right angles to the main station provided easy access to the trains by means of six stairways (including three ramps on the east side) running parallel to the passenger platforms.

Typical of Beaux-Arts buildings erected in Canada during the early twentieth century, the CN Station displays classically-inspired detailing and rich materials fused with contemporary Canadian motifs. The symmetrical two-storey facade, clad in Queenston limestone, is dominated by a central entrance portico with four massive Doric columns supporting an entablature and pediment. Above the three doorways are ornamental bronze grilles and bas relief stone panels depicting transportation scenes across Canada, carved by Hamilton artist William Oosterhoff. The intermediate wings display incised panels with stylized images of the various modes of transportation while the projecting end pavilions echo the classical treatment of the portico. The two pedimented doorways are flanked by pairs of pilasters supporting an entablature, which encircles the building.

Visitors are drawn by a strong visual axis through the main entrance lobby to the concourse. The stately grandeur of the lobby, featuring a terrazzo floor, marble wainscoting, Ionic half-columns and pilasters, a coffered ceiling, large skylights, bronze grillework and two bronze lanterns, contrasts with the modern simplicity of the concourse: practical glazed brick on the lower walls, exposed steel trusses, unobstructed floor space, and an abundance of direct natural light.

Along with the former Bank of Montreal (1928-9) and the former Hamilton Public Library (1913), the CN Station is one of Hamilton's finest surviving Beaux-Arts Classical buildings. As one of Schofield's most successful station designs, it ranks among Canada's most distinguished early 20th century railway stations of comparable size and has been recognized accordingly through designation under the Federal Heritage Railway Stations Protection Act.

Designated Features

Important to the preservation of the CN Station are:

1. the original features of all four facades of the main building and attached concourse, including the limestone and brick masonry walls; original windows and doors (some of which, including the front entrance doors, have been replaced); the pedimented portico; the ornamental stone and bronze work; and the two remaining ramp and stair wells at the north end of the concourse.

2. the original features of the main floor lobby areas (main, ante and check lobbies) and ramp, including the terrazzo flooring, decorative coffered ceilings, marble wainscoting, classical columns and motifs, ornamental bronzework; and the undivided open space of the concourse, with its glazed brick, large windows and visible roof trusses.

The Corporation of the City of Hamilton

BY-LAW NO. 95- *116*

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 142, 144, 146, 148, 150, 152, 154, 156 and 160 JAMES STREET SOUTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal Nos. 142, 144, 146, 148, 150, 152, 154, 156 and 160 James Street South and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

(i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this *9th* day of *May* A.D. 1995

CITY CLERK

MAYOR

Schedule "A"

To

By-law No. 95-*116*

James South Stone Terrace
142, 144, 146, 148, 150, 152, 154, 156, 160 James Street South, Hamilton

142 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel of land and premises situate, lying and being in the said City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of the northerly part of Lot Number Thirteen (13) on the corner of James and Bold Streets in the last survey of Lots made by the late Peter Hamilton in said City and which said parcel of land may be better known and described as follows, that is to say:

COMMENCING at the northeast corner of said Lot at the intersection of James and Bold Streets:

THENCE southerly along the westerly side of James Street a distance of twenty-nine feet seven and one-half inches more or less to a post being the point of intersection of the middle of the party wall between the messuage hereby conveyed and the adjoining one produced in a straight line and the westerly side of James Street:

THENCE westerly and passing through the middle of said party wall and parallel with Bold Street a distance of one hundred and eighteen feet six inches more or less to the easterly boundary of the lane immediately in rear of the stone stable belonging to said premises:

THENCE northerly along the easterly boundary of said lane and parallel with James Street to the southerly boundary of Bold Street:

THENCE easterly along the southerly boundary of Bold Street to the place of beginning said premises being known as Number 142 James Street South in said City of Hamilton.

As in Instrument Number 161856 A.B.

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144 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of part of lot number thirteen (13) and part of lot number fourteen (14), in P. H. Hamilton's Survey, being in the block bounded by Duke, Bold, James and MacNab Streets, and which parcel or tract of land may be more particularly described as follows, that is to say:-

COMMENCING at a point in the western limit of James Street, where it is intersected by the production easterly of the centre line of a wall between the stone building erected upon the herein described parcel of land, formerly known as Municipal Number 84 James Street South, now known as Municipal No. 144 James Street South, and the stone building erected upon the lands adjoining the herein described parcel of land on the north, formerly known as Municipal Number 82 James Street South, now known as Municipal Number 142 James Street South, the said point of intersection being distant thirty feet three and one-half inches (30' 3½") measured southerly along the western limit of James Street from the northeastern corner of the said lot number thirteen (13), being the intersection of the western limit of James Street with the southern limit of Bold Street.

THENCE southerly along the western limit of James Street twenty-nine feet and three inches (29' 3") more or less to a point in the production easterly of the centre line of the wall between the said stone building erected upon the herein described parcel of land and the stone building erected upon the lands adjoining the herein described parcel of land on the south and known as Municipal Number 146 James Street South.

THENCE westerly to and along the last mentioned centre line and the production of the line thereof westerly one hundred and eighteen feet, eleven and three-quarter inches (118' 11 3/4") more or less to a point in the western limit of the said lot number 14 being the eastern limit of a ten foot (10') alleyway the said point being distant sixty feet, six inches (60' 6") measured southerly along the eastern limit of the said alleyway from the southern limit of Bold Street.

THENCE northerly along the western limits of the aforesaid lots numbers fourteen and thirteen (14 and 13) and being along the eastern limit of the said ten foot (10') alleyway, twenty-nine feet three and three-quarter inches (29' 3 3/4") more or less to a point in the production westerly of the centre line of the wall between the aforesaid stone buildings, known as Municipal Numbers 142 and 144 James Street South.

THENCE easterly to and along the last mentioned centre line and the production thereof easterly one hundred and eighteen feet eleven and one-quarter inches (118' 11¼) more or less to the point of commencement.

ON THE ABOVE-DESCRIBED parcel of land is erected the semi-detached stone building known as Municipal Number 144 James Street South.

TOGETHER WITH ANY EXISTING RIGHT to pass over, along and upon and use as a right-of-way a ten foot (10') alleyway extending southerly from the southern limit of Bold Street to the northern limit of Duke Street and being composed of the eastern ten feet (10') of lots numbers eighteen (18) and twenty-five (25) according to P. H. Hamilton's survey being in the block bounded by Duke, Bold, James and MacNab Streets.

As in Instrument Number 322118 H.L.

146 JAMES STREET SOUTH, HAMILTON, ONTARIO

In the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and Province of Ontario, and being composed of:

FIRSTLY a portion of Lot Number 14 on the west side of James Street in the last survey of lots made by the later Peter Hunter Hamilton in the said City of Hamilton, according to the survey and plan of the same made by Thomas Allen Blythe, P.L.S., Plan No. 1270, on which portion of land hereby conveyed is erected a stone dwelling house, being the most northerly of a row of five stone dwelling houses known as "Murisons Block" and which said dwelling hereby conveyed is better known as City No. 146 James Street South, and may be more particularly described as follows, that is to say:-

COMMENCING at a point on the west side of James Street and opposite the centre of the stone wall separating the house known as City 146 from that immediately to the south of same and at a distance of 84 feet 04 inches more or less from the southwest corner of Bold and James Streets;

THENCE west and following the centre of said stone wall a distance of 120 feet more or less to an alleyway;

THENCE north parallel with James Street, 24 feet 06 inches more or less to a point;

THENCE easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house known as City No. 146 aforesaid from that immediately to the north thereof, 120 feet more or less to the westerly margin of James Street aforesaid;

THENCE south along the westerly margin of James Street aforesaid, 24 feet 06 inches more or less to the place of beginning; together with the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north and south sides, being also Part of Lot 14, as party walls and any and all rights existing in relation thereto and together with the free use and enjoyment at all times of the alleyway in the rear of said lands and premises.

As in Instrument Number 361514 C.D.

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148 JAMES STREET SOUTH, HAMILTON, ONTARIO

COMMENCING at a point on the west side of James Street and opposite the centre of the stone wall separating the house known as City Number 148 from that immediately to the south of same and at the distance of 108 feet, 10 inches from the south-west corner of Bold and James Streets;

THENCE west and following the centre of said stone wall a distance of 120 feet more or less to an alleyway;

THENCE north parallel with James Street 24 feet and 6 inches more or less to a point situated at the distance of 84 feet 4 inches more or less from the southerly margin of Bold Street;
THENCE easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house known as City Number 148 aforesaid from that immediately to the north thereof 120 feet more or less to the westerly margin of James Street aforesaid;
THENCE south along the westerly margin of James Street aforesaid 24 feet and 6 inches more or less to the place of beginning.
TOGETHER WITH the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north and south sides thereof as party walls and any and all rights existing in relation thereto and together with the free use and enjoyment at all times of the alleyway in rear of said lands and premises.
As in Instrument Number 464174 C.D.

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150 JAMES STREET SOUTH, HAMILTON, ONTARIO

COMMENCING at a point on the West side of James Street opposite the centre of the stone wall separating the house known as City Number 150 James Street South from that immediately to the North of same and at a distance of One Hundred and eight feet ten inches (108' 10") more or less measured Southerly from the Southwesterly angle of Bold and James Streets;
THENCE West and following along the centre of said stone wall a distance of One Hundred and twenty feet (120') more or less to an alleyway;
THENCE South and parallel with James Street Twenty-four feet six inches (24' 6") more or less to a point;
THENCE Easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house known as City Number 150 James Street South from that immediately to the South thereof, One Hundred and twenty feet (120') more or less to the Westerly margin of James Street aforesaid;
THENCE North along the Westerly margin of James Street aforesaid, Twenty-four feet and six inches (24' 6") to the place of beginning.
TOGETHER WITH the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north being Lot 14 and south sides thereof being Lot 15 as party walls and any and all rights existing in relation thereto;
AND TOGETHER WITH the free use and enjoyment at all times of the alleyway in the rear of said lands and premises. And being part of Lot 18 and 25 on said Plan.
As in Instrument Number 389622 C.D.

152 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot Fifteen (15) on the west side of James Street in the last survey of lots made by the late Peter Hunter Hamilton in said City having a frontage of twenty-four feet six inches (24' 6") more or less on James Street, and extending back the same width one hundred and eighteen feet six inches (118' 6") more or less to an alley ten feet (10') in width in rear of the east sides of Lots Eighteen (18) and Twenty-five (25) in the same block.

TOGETHER WITH the right to the use of the walls between the property hereby conveyed and that adjoining same on the north and south sides as party walls which said dwelling hereby conveyed is better known as City Number 152 James Street South being part of Lot Fifteen (15) and more particularly described as follows:

COMMENCING at a point on the west side of James Street opposite the middle of the stone partition wall separating the house known as City Number 150 James Street South from that hereby conveyed and at a distance of one hundred and thirty-three feet and four inches (133' 4") more or less from the south-west angle of Bold and James Streets;

THENCE west parallel with Bold Street and following the middle of said stone party wall and continuing on the same course a distance of one hundred and eighteen feet and six inches (118' 6") more or less to an alleyway ten feet (10') in width running from Bold Street to Duke Street over the east ten feet (10') of Lots Eighteen (18) and Twenty-five (25) aforesaid;

THENCE south parallel with James Street twenty-four feet six inches (24' 6") more or less to a point opposite the centre of the stone party wall between the house on the lands hereby conveyed and that on the lands adjoining on the south;

THENCE easterly parallel with Bold Street aforesaid and through the middle of the said stone partition wall one hundred and eighteen feet and six inches (118' 6") more or less to the westerly margin of James Street aforesaid;

THENCE northerly along the westerly margin of James Street aforesaid twenty-four feet six inches (24' 6") more or less to the place of beginning.

TOGETHER WITH any and all rights existing in relation to the said party walls and also the free use and enjoyment at all times of the alleyway in rear of the said lands being part of Lots 18 and 25, Plan of Peter Hunter Hamilton hereby conveyed as an alleyway forever.

As in Instrument Number 109520 C.D.

154 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and Province of Ontario and being composed of that portion of Lot Number Fifteen on the west side of James Street in the last survey of Lots made by the late Peter Hunter Hamilton in the said City of Hamilton, according to the survey and plan of the same made by Thomas Allan Blythe P.L.S. on which portion of land is erected a stone dwelling house being the most southerly of a block of five stone dwellings erected by the late George Murison on lots numbers fourteen and fifteen which said stone dwelling is better known as City number 154 James Street South and may be more particularly described as follows:

COMMENCING at a point on the west side of James Street and opposite the centre of the stone wall separating the house number 154 James Street South from that immediately to the north of the same and at the distance of one hundred and fifty-seven feet ten inches (157' 10") more or less from the southwest corner of Bold and James Streets;

THENCE west and following the centre of the said stone wall a distance of one hundred and twenty-seven feet more or less to an alleyway;

THENCE south parallel with James Street twenty-four feet six inches (24' 6") more or less to a point;

THENCE easterly parallel with Bold Street aforesaid and through the centre of the stone wall separating the house number 154 James Street South from that immediately to the south thereof one hundred and twenty-seven feet more or less to the westerly margin of James Street aforesaid;

THENCE north along the westerly margin of James Street aforesaid twenty-four feet six inches more or less to the place of beginning.

TOGETHER WITH the right to the use of the walls separating the house on the property hereby conveyed from those adjoining the same on the north and south sides thereof, as party walls, and any and all rights existing in relation thereto.

AND TOGETHER WITH the free use and enjoyment at all times of the alleyway in rear of said lands and premises.

As in Instrument Number 337508 A.B.

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156 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of the North part of Lot Number Sixteen (16) situate on James Street in the last survey of lots made by the late Peter Hunter Hamilton in the said City of Hamilton, Plan

Number 1270, and which said part of Lot Number Sixteen (16) has a frontage on James Street of Twenty-three Feet (23') more or less and extending same width as the front back from the said street One Hundred and Eighteen Feet, Six Inches (118' 6") more or less.

TOGETHER WITH the right to the walls and the use and support of same which now exist on the North and South side of the building on said premises the said North part of said Lot Number Sixteen (16) may be more particularly known and described as follows, that is,

COMMENCING on the West side of James Street at the distance of Ninety-six Feet, Two Inches (96' 2") from Duke Street;

THENCE Westerly One Hundred and Eighteen Feet, Six Inches (118' 6") more or less to the rear of the lot;

THENCE Northerly along the rear of said Lot Twenty-three Feet (23') more or less to the Northerly limit of said Lot;

THENCE Easterly along the Northerly limit of said Lot One Hundred and Eighteen Feet, Six Inches (118' 6") more or less to James Street;

THENCE Southerly along James Street Twenty-three Feet (23') more or less to the place of beginning.

TOGETHER WITH the right-of-way over, along and upon the Easterly Ten Feet (10') from front to rear of Lot Number Eighteen (18) fronting on Duke Street and over the Easterly Ten Feet (10') from front to rear of Lot Number Twenty-five (25) fronting on Bold Street, the intention being to convey the house and lands known as City Street Number 156 James Street South as they are at present enclosed.

As in Instrument Number 397900 A.B.

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160 JAMES STREET SOUTH, HAMILTON, ONTARIO

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of the southerly part of Lot Sixteen (16) on the west side of James Street, between Bold and Duke Streets, in that part of the City of Hamilton laid into lots by the late Peter Hunter Hamilton, and in accordance with the Survey and plan registered as Number 1270 thereof, made by Thomas A. Blyth, P.L.S. which parcel or tract of land may be more fully known and described as follows, that is to say:

COMMENCING at a distance of eighteen feet (18') six inches (6") more or less measured northerly from the south-east angle of said lot sixteen (16) and in and along the west side of the said James Street to a point;

THENCE westerly and parallel to Bold and Duke Streets, one hundred and eighteen feet six inches (118' 6") more or less to a point to a private ten foot (10') alley;

THENCE southerly and parallel to aforesaid James Street eighteen feet, and six inches (18' 6") more or less to a point;

THENCE easterly parallel with the said Bold and Duke Streets, one hundred and eighteen feet six inches (118' 6") more or less to the south-east angle of said Lot sixteen (16);

THENCE northerly and continuing along the westerly side of James Street a distance of eighteen feet six inches (18' 6") more or less to a point being the point of commencement.

UPON the aforesaid lands and premises is erected a two and one-half storey stone house municipally known as 160 James Street South, Hamilton, Ontario.

As in Instrument Number 73367 C.D.

Schedule "B"

to

By-law No. 95- *116*

James South Stone Terrace

142, 144, 146, 148, 150, 152, 154, 156, 160 James Street South, Hamilton

Context

Built between 1854 and 1860, the ten-unit stepped stone terrace extending along the west side of James Street South between Bold and Duke is a landmark and major anchor block in the James South heritage streetscape. Today, this long stone terrace dominates a row of historic buildings just south of the railway underpass; opposite, on the east side of James, the 19th and early 20th century buildings have been largely displaced by office towers.

Since Hamilton's early development, James Street has been a principal thoroughfare providing a vital transportation link between the waterfront and escarpment to the south. With the southward urban growth beginning in the 1850s, James Street South evolved as part of the city's most desirable residential area, noteworthy for its prestigious stone mansions and terraces, and later large Victorian homes. The first dramatic changes to the streetscape took place in the 1930s with two major construction projects: the TH&B railway underpass, which disrupted the visual continuity of James Street South, and the imposing eight-storey Medical Arts Building, a precursor of the modern high-rise development now scattered along its length. Less intrusive changes have resulted from the progressive conversion of single-family and row houses to commercial use: notably, the introduction of business signage and alterations to lower street facades.

History

Built for three separate owners: merchant John Mackenzie (#142-144), contractor George Murison (#146-154), and manufacturer Alexander Gordon (#156-160), all ten units were originally rented as single-family dwellings to prominent businessmen and professionals. After 1900, an increasing number of doctors and dentists took up residence and opened home practices in the terrace, a reflection of the growing concentration of medical practitioners in the immediate area. Since the 1950s the terrace has served a mixed commercial/residential use accommodating a variety of stores, galleries, restaurants, professional offices, and upper floor apartments.

Of particular interest is George Murison's association with the stone terrace: he was a well-respected contractor appointed in 1858 as builder of the Custom House and also played an active role in local politics, serving as a city councillor from 1856 to 1871, with one year as mayor in 1870. Another prominent Hamiltonian, Samuel Mills, owned the Gordon buildings in the 1860s. A highly successful businessman, who eventually became known as "one of the three wealthiest men in Hamilton", Mills also gained political recognition when appointed a life member of the Legislative Council of the Province of Canada in 1847 and a senator in the year of Confederation.

Architecture

The stone terrace on James Street South is one of few surviving pre-Confederation rowhouses in Hamilton. While the rowhouse was a common building type in the city, relatively few were built of stone; and of these early stone terraces dating from the 1850s and 60s, a number of fine examples have been lost (notably, Palmerston Terrace on Jackson Street West). In the area south of Main Street (known today as the Durand Neighbourhood) where the concentration of stone terraces was greatest, only four are still standing - Sandyford Place on Duke Street, Herkimer Terrace, 122-126 MacNab Street South, and the James South terrace.

The James South Stone Terrace is distinguished by its unrivalled length, the forceful simplicity of its design, and its finely crafted limestone ashlar facade. Erected by skilled immigrant masons using stone quarried locally from the escarpment, this terrace displays the high quality of design and workmanship that characterized Hamilton's early stone architecture. Although built in blocks for three different owners on a sloping site, the overall row possesses a homogeneous character achieved through the consistent use of limestone, uniform set-back and standard rowhouse format. Subtle distinctions were, however, created by varying the proportions and detailing of the three blocks. The two MacKenzie units feature two-storey pilasters and a horizontal string course between the first and second storey; the Murison Block is distinguished by its taller second-storey proportions and bracketed eaves; while the three Gordon units are narrower and, unlike the other ones, their entrances are located in the north bay.

On the whole, the terrace has survived remarkably well: the addition of dormers and one mansard roof (#158) as well as alterations to entrance doorways, stairways, and windows have not seriously undermined its original appearance. The only major change has been the replacement of the first storey stone facade at #156 by a projecting brick addition with a modern glazed storefront.

Designated Features

Important to the preservation of the James South Stone Terrace are the original features of the east (front) facades and north end wall, including: the limestone masonry walls and parapets; the cut stone sills, lintels, string courses, and pilasters; the original doorways and windows; and the bracketed eaves and other original details. Excluded are: the projecting store front added to #156; the various dormer additions; and the modern entrance porches, stairways, windows and doors.

Bill No. D-40

The Corporation of the City of Hamilton

BY-LAW NO. 95-*117*

To Replace Schedule 22 to Licensing By-law No. 79-323

As Consolidated in By-law 93-069

Respecting:

TRANSIENT VENDORS

WHEREAS Council deems it expedient to replace Schedule 22 to Licensing By-law No. 79-323, as consolidated in By-law 93-069:

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That Schedule 22 of By-law No. 79-323 as consolidated in By-law 93-069, as amended, be repealed, and the following substituted therefor:

S C H E D U L E 22

1. In this schedule,

(a) "trade" means trade, business, calling or occupation;

(b) "transient trader" means a person who offers goods, wares or merchandise for sale by auction, conducted by themselves or by a licensed auctioneer or otherwise, or who offers them for sale in any other manner, and includes,

(i) any person commencing business in the City of Hamilton who has not resided continuously in the City for at least three months next preceding the time of commencing such business there; and

(ii) persons whose names have not been entered on the assessment roll, in respect of business assessment for the then current year; but

(iii) does not include a charitable organization or non-profit group or corporation selling goods, wares or merchandise, the proceeds from which are donated to, or used for charitable objects.

(c) A person who commences business by the display or offering of goods, wares or merchandise for sale at a particular location, may still qualify as a transient trader, whether or not the trade is conducted with the use of a building or fixtures.

2. Every transient trader shall obtain and maintain in good standing a licence authorizing the transient trader to carry on or engage in his trade.

3. No transient trader shall commence the sale of goods, wares or merchandise until a licence has been issued under section 2.

4. Every applicant for a licence or a renewal thereof shall make the application in person and not by an agent or representative.

5. Every transient trader shall pay a licence fee before commencing his trade.

6. No licence shall be issued where the fee has not been paid in full at the time of making the application.

7.(1) Every applicant for a transient trader's licence shall as part of the application for such licence furnish a statement in writing containing a full description of the goods, wares or merchandise that the transient trader proposes to sell or offer for sale under such licence.

(2) A licence issued under subsection (1) is only permission for the particulars supplied by the applicant under this section, and any change in the classes of goods sold will require a new or separate application.

8.(1) The licence fees are provided by section 22 of Schedule 45 of this by-law.

(2) The licenses issued under (1) shall expire three months from the date of issuance.

(3) The sum paid for a licence under this Schedule shall be credited to the person paying it, or to any purchaser of the business who carries on the business, on account of taxes payable in respect of the business, and in respect of real property taxes on the land used for the purposes of or in connection with the business if the land is owned by the person carrying on the business, during the year in which the licence was issued and five years thereafter.

(4) Every transient trader shall cause the licence to be prominently and permanently displayed in the transient trader's place of business during the full term in which the transient trader is carrying on business as a transient trader and in default thereof is guilty of an offence.

9. This by-law does not apply to:

(a) The sale of the stock of a bankrupt or an insolvent, within the meaning of any bankruptcy or insolvency Act in force in Ontario, nor to the sale of any stock damaged by or by reason of fire, which is being sold or disposed of within the municipality in which the business was being carried on at the time of the bankruptcy, insolvency or fire, so long as no goods, wares or merchandise are added to such stock; and

(b) The sale of a business to a purchaser who continues the business.

2. This by-law comes into force and effect on the date of enactment.

PASSED this *9th* **day of** *May* **A.D. 1995.**

City Clerk **Mayor**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- *118*

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this *9th* **day of** *May* **1995, A.D.,**

CITY CLERK **MAYOR**

SCHEDULE "A" *to By-law 95-118*
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	69 POULETTE
	SERIAL NUMBER	01 00945 0900
	BRIEF LEGAL DESCRIPTION	Plan 244 Part Lot 101
	DATE OF REGISTRATION	July 5, 1994
	INST # OF TAX ARREARS CERTIFICATE	188124
	REDEMPTION DATE	July 5, 1995
	TOTAL ARREARS	$10,974.80
B)	PROPERTY ADDRESS	183 MARY
	SERIAL NUMBER	02 01560 5310
	BRIEF LEGAL DESCRIPTION	Survey S Mills Part Lots 7 & 8
	DATE OF REGISTRATION	July 5, 1994
	INST # OF TAX ARREARS CERTIFICATE	188125
	REDEMPTION DATE	July 5, 1995
	TOTAL ARREARS	$17,364.68
C)	PROPERTY ADDRESS	443 FERGUSON N
	SERIAL NUMBER	02 01660 8830
	BRIEF LEGAL DESCRIPTION	Plan 61 Part Lots 21 & 22
	DATE OF REGISTRATION	August 5, 1994
	INST # OF TAX ARREARS CERTIFICATE	190570
	REDEMPTION DATE	August 5, 1995
	TOTAL ARREARS	$9,106.84
D)	PROPERTY ADDRESS	10 HARVEY
	SERIAL NUMBER	03 02340 6030
	BRIEF LEGAL DESCRIPTION	Plan 170 Part Lots 3 & 4
	DATE OF REGISTRATION	July 5, 1994
	INST # OF TAX ARREARS CERTIFICATE	188122
	REDEMPTION DATE	July 5, 1995
	TOTAL ARREARS	$5,368.81
E)	PROPERTY ADDRESS	15 HARVEY
	SERIAL NUMBER	03 02340 7680
	BRIEF LEGAL DESCRIPTION	Plan 170 Lot 7 Part Lots 8,9,10
	DATE OF REGISTRATION	July 5, 1994
	INST # OF TAX ARREARS CERTIFICATE	188126
	REDEMPTION DATE	July 5, 1995
	TOTAL ARREARS	$11,839.92
F)	PROPERTY ADDRESS	137 EWEN
	SERIAL NUMBER	01 00210 4080
	BRIEF LEGAL DESCRIPTION	Plan 1159 Lot 2
	DATE OF REGISTRATION	July 5, 1994
	INST # OF TAX ARREARS CERTIFICATE	188123
	REDEMPTION DATE	July 5, 1995
	TOTAL ARREARS	$13,266.64
G)	PROPERTY ADDRESS	192 ROBERT
	SERIAL NUMBER	02 01820 7250
	BRIEF LEGAL DESCRIPTION	Plan 287 Part Lot 195
	DATE OF REGISTRATION	September 16, 1994
	INST # OF TAX ARREARS CERTIFICATE	194087
	REDEMPTION DATE	September 16, 1995
	TOTAL ARREARS	$14,096.57

SCHEDULE "A" *to By-law 95-118*
EXTENSION AGREEMENTS

H)	PROPERTY ADDRESS	115 KING WILLIAM
	SERIAL NUMBER	02 01535 0970
	BRIEF LEGAL DESCRIPTION	N. Hughson Survey Part Lots 3 & 11
	DATE OF REGISTRATION	August 12, 1994
	INST # OF TAX ARREARS CERTIFICATE	191173
	REDEMPTION DATE	August 12, 1995
	TOTAL ARREARS	$136,903.01

Bill No. D-43

The Corporation of the City of Hamilton

BY-LAW NO. 95- *119*

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 16 of the Third Report of the Planning and Development Committee on January 10, 1995 approved the amount of $6,000.00 for 1995, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $6,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

4. By-law No. 95-098 is hereby repealed.

PASSED this 9th day of May A.D. 1995

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No. 95-119

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$374,339.00
2.	The Mill Rate for the special charge is calculated by:	16.0283
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1995	$6,000.00

Bill No. D-42

BY-LAW NO. 95 - *120*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF MAY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of May A.D. 1995

CITY CLERK

MAYOR

CAY ON HBL A08
B91

Bill No. A-37

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAWNO. 95- *121*

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 1, PLAN 62R-11382
INTO BOLZANO DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Bolzano Drive within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Bolzano Drive.

Part of Lots 7 and 8, Concession 8, in the geographic township of Barton, designated as Part 1, Plan 62R-11382.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said land.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this *30th* day of *May* A.D. 1995

City Clerk

Mayor

Bill No. A-38

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAWNO. 95- *122*

TO INCORPORATE CITY LAND DESIGNATED AS BLOCKS 19 & 20, PLAN 62M-643 INTO CELLINI AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Cellini Avenue within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Cellini Avenue.

Blocks 19 and 20, Plan 62M-643.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said land.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this *30th* day of *May* A.D. 1995

City Clerk

Mayor

BY-LAW NO. 95 - *123*

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Rutledge	East	from a point 195 feet north of Independence to a point 106 feet northerly therefrom	Anytime
Spring	East	from a point 124 feet north of Jackson to a point 24 feet northerly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Rutledge	East	from a point 128 feet north of Independence to a point 156 feet northerly therefrom	Anytime".

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Paling	West	commencing at a point 117 feet north of Vansitmart to a point 23 feet northerly therefrom	Anytime
Grosvenor	West	commencing at a point 392 feet south of Barton to a point 24 feet southerly therefrom	Anytime
Grosvenor	East	commencing at a point 389 feet south of Barton to a point 29 feet southerly therefrom	Anytime
East Bend	West	commencing at a point 44 feet south of Cannon to a point 21 feet southerly therefrom	Anytime
Colbourne	South	MacNab to Severn	Anytime".

and by deleting therefrom the following item, namely:-

"Colbourne	South	Severn to a point 94 feet east of MacNab	Anytime".

3. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting therefrom the following item, namely:-

"Colbourne	South	MacNab to 94 feet east	1 hr	8 am - 6 pm	Mon - Sat".

4. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"Kings Forest from a point 68 feet north of Nova to a point 20 feet northerly therefrom	West	
Kings Forest Nova to 92 feet north		East".

PASSED this *30th* day of *May* A.D. 1995.

CITY CLERK

MAYOR

BILL NO. A - 40

BY-LAW NO. 95 - 124

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 29 (No Stopping Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Acadia	East	Cartier to 703 feet south	7 am - 6 pm	Mon to Fri".

2. **Schedule 19 (No U Turn at Certain Intersections)** is hereby amended by adding thereto the following item, namely:-

"Acadia	Northbound and Southbound	Cartier".

PASSED this 30th day of May A.D. 1995.

CITY CLERK

MAYOR

Bill No. B-2

The Corporation of the City of Hamilton

BY-LAW NO. 95- 125

To Authorize

THE CEMETERIES OPERATION BY-LAW

WHEREAS Section 50 of the Cemeteries Act (Revised), R.S.O. 1990, Chapter C.4 authorizes the owner of a cemetery to enact a by-law for the operation of a cemetery;

AND WHEREAS The Corporation of the City of Hamilton owns and operates several cemeteries;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting the Item 4 of the 1st Report of the Parks and Recreation Committee at its meeting held on December 13, 1994 authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

Preface:

This By-law governs the following cemeteries:

Hamilton Cemetery	Stoney Creek Cemetery
Woodland Cemetery	Trinity Cemetery
Eastlawn Cemetery	St. Peter's Cemetery
Burkholder Cemetery	Bartonville Cemetery
Mt. Hamilton Cemetery	Barton Stone Cemetery
Smith's Cemetery	St. George's Cemetery
Binkley Cemetery	Ryckman's Cemetery

Mansion of Memories Mausoleum

And any Cemetery which may in the future become the responsibility of the City of Hamilton.

The Council of the Corporation of the City of Hamilton in the discharge of their responsibilities, appeal to the public to aid them by following these by-laws, which have been adopted for the improvement and upkeep of the cemetery, to keep it a becoming and respectful place for the burial of the dead.

The above mentioned Cemeteries are licensed to act as cemeteries in accord with the Cemeteries Act, R.S.O., 1990.

These By-laws are adopted for the mutual protection of the Interment Rights Holders, the staff, the general public and the City of Hamilton.

All Interment Rights Holders, visitors, cemetery employees, person working directly or indirectly for Interment Rights Holders and all graves or lots shall be subject to these rules and regulations as well as amendments or alterations as shall be adopted by the City of Hamilton.

It is our hope that by a co-operative effort we can keep the Cemeteries attractive and peaceful.

A) Administration

Ownership

1. The Corporation of the City of Hamilton reserves full and complete control and management of all assets of the Corporation including but without limiting the generality of the foregoing: land, buildings, plantings, roads, utilities, books and records of the cemetery and complete authority to administer these by-laws.

Manager's power

2. The Manager shall have custody of the Cemetery under the direction of the Corporation. No interment or removal of bodies shall take place without notice to the Manager, who shall see that a proper Burial Permit or other certificate required by law is furnished in each instance.

Disclaimer

3. The Corporation expressly disclaims all responsibility for loss or damage from causes beyond their control and especially from damage caused by the elements, and acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, accidents, invasion, insurrections, riots, or order of any military or civil authority, whether damage be direct or collateral.

Precaution to protect

4. The Corporation shall take reasonable precautions to protect the property of Interment to protect Rights Holders but it assumes no liability or responsibility for the loss of or damage to any article of any type that is placed on any lot or grave.

Ownership

5. All Cemeteries listed above are owned and operated by the City of Hamilton.

Reporting Structure

6. Hamilton Municipal Cemeteries is a division of the Public Works Department and reports to the Parks and Recreation Committee through the Director of Public Works, herein after called the Cemeteries.

Manager's Authority Duties

7. The Manager of Cemeteries or his representative shall uphold the provisions of the By-laws and the Cemeteries Act. The manager has the authority to make final and binding decisions based on the By-laws. Appeals to the Manager's decision can be made to the Director of Public Works.

Duties

8. Duties of Hamilton Municipal Cemeteries:

a) To manage and maintain all cemeteries under its jurisdiction
b) To uphold the provision of the Cemetery Act.
c) To uphold the provision of the Cemetery By-laws.

Rights

9. Hamilton Municipal Cemeteries have the right to enlarge, reduce, replot, and/or change the boundaries or grade of the cemeteries.

Discrimination

10. All decisions made by the City and the Cemeteries shall be made without regard to race, creed, colour, national origin, sex, marital status, religion, ancestry, mental or physical handicap or age.

Notice

11. All notices required by any By-law or regulation to be given to any Interment Rights Holder may be given personally, or may be mailed to the last known post office address of such Rights Holder or his legal personal representatives, and proof that such notice was so mailed shall be good and proof that such notice was given.

Headings

12. The headings and marginal notes are not part of the By-laws and are intended only for the assistance of the reader and are not binding.

B) Definitions

1. "Cemetery" means land set aside to be used for the interment of human remains and this includes Mausoleum, Colombarium or any other structure intended for the interment of human remains.

2. "Ministry" means the Ministry of Consumer and Commercial Relations for the Province Ontario.

3. "Corporation" means the Corporation of the City of Hamilton.

4. "Council" means the Hamilton City Council.

5. "Treasurer" means the Treasurer of the City of Hamilton.

6. "Bylaw" when used in relation to a cemetery, means the rules under which a cemetery is operated.

7. "Manager" means the Manager of Hamilton Municipal Cemeteries as appointed by Council.

8. "Grave" means an area of land in a cemetery containing, or set aside to contain, human remains and includes a tomb, crypt or compartment in a mausoleum and a niche or compartment in a columbarium.

9. "Adult Grave" means any burial space intended for an adult, and having a minimum size of approximately 0.91 meters (3 feet) by 2.74 meters (9 feet).

10. "Children's Grave" means any burial space of 0.91 meters (3 feet) by 1.83 meters (6 feet).

11. "Infant Grave" means any burial space intended for an infant, and having a minimum size of 45.72cm (18 inches) by 0.91 meters (3 feet).

12. "Cremation Grave" means any burial space intended to receive not more than 2 (two) cremated remains and having a minimum size of 45.72cm (18 inches) by 1.22 meters (4 feet).

13. "Interment Rights" includes the right to require or direct the interment of human remains in a lot, grave etc..

14. "Interment Rights Holder" means a person with Interment Rights with respect to a lot or grave and includes a purchaser of Interment Rights under the Cemeteries Act, being chapter C.3 of the Revised Statutes of Ontario, 1990, or a predecessor of that Act.

15. "Plan" means the plan of the cemetery, approved by the Ministry of Consumer and Commercial Relations for Ontario.

16. "Lot" means two or more graves in which the rights to inter have been sold as a unit.

17. "Register" means electronic, or written records of the Cemeteries, kept in accordance with the Cemeteries Act.

18. "Certificate of Interment Rights" means the certificate issued by the Corporation to the purchaser of Interment Rights in either a lot, grave or niche.

19. "Care and Maintenance Fund" means the trust fund in which all monies received by the Corporation for the care and maintenance of lots, graves, markers and monuments have been invested.

20. "Trust funds" means those funds in which a trustee may invest, which are defined in the "Trustee Act", R.S.O. 1990, CH. T. 23

21. "Monument" means any permanent memorial projecting above the ground level and situated on a base.

22. "Marker" means any memorial of Granite or bronze on a granite base, set flush with the surface of the ground, and used to mark the location of a lot or grave. A marker also may mean an ornament affixed to or intended to be affixed to a lot such as a columbarium niche or other structure or place intended for the deposit of human remains.

23. "Corner-posts" means any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot.

24. "Mausoleum" means a building or structure, other than a columbarium, used as a place for the interment of the human remains in sealed crypts or compartments.

25. "Columbarium" means a structure designed for interring cremated human remains in sealed compartments.

26. "Cremorial" means a structure designed for interring of cremated remains.

27. "Tariff of Charges" means a price list set by Council.

28. "Resident" means a person living in the City of Hamilton at the time of death or purchase of a service or product. It may also be a person who does not reside within the city limits but whose name appears on the assessment roll.

C) Contracts & Transfer of Interment Rights

Right to Sell

1. No person shall sell Interment Rights unless that person does so on behalf of the Corporation.

Sale of Interment Rights

2. Interment Rights in lots and graves may be purchased from the Corporation at the rates filed with the Ministry and according to the plans approved by the Ministry of Consumer and Commercial Relations for Ontario that are on file in the office of the Manager of the Cemetery. The prices for Interment Rights include the applicable portion for deposit to the Cemetery's Care and Maintenance Fund.

Rates

3. The Tariff of Charges is set annually and normally comes into effect on January 1. No charges shall be made that are not covered in the Tariff of Charges.

Payments

4. All cheques, money orders, etc. should be made out to Hamilton Municipal Cemeteries and must accompany the signed contract.

Contracts

5. All contracts must be signed by the purchaser and the Manager or their duly authorized representative.

Procedure to Purchase

6. Interment Rights for lots and graves shall be deemed to be sold or reserved from sale when such sale or reservation is reported at the Cemetery Office. All Interment Rights must be purchased at the Cemetery Office and the Purchaser or their representative is to be shown the lot or grave that they have purchased the Rights to, and pay all charges that are incurred at the Cemetery Office.

Singels in a Row

7. Single graves in a row may be secured in the sections designated for that purpose at the prices laid down in the Tariff of Charges, and there shall be no choice of location, as the graves will be filled in regular order. Single graves in a row shall not be sold to be reserved for future interment.

Preferred Singles

8. Preferred single graves may be purchased in advance of need.

On Hold

9. Hamilton Municipal Cemeteries will hold preferred single graves and lots for three months without any payment unless the three month period enters a new Tariff of Charges period.

Care & Maintenance Formula

10. The deposit to the Care and Maintenance Fund shall be as specified in the regulation made under the Cemeteries Act, R.S.O., 1990 that came into effect April 1st, 1992.

    1. In the case of an in-ground grave for the burial of an adult, the greater of 40% of the selling price or $150.

    2. In the case of an in-ground grave for the burial of a child or of cremated remains, 40% of the selling price.

    3. In the case of a crypt in a mausoleum, the greater of 20% of the selling price or $500.

    4. In the case of a niche or compartment in a columbarium, the greater of 15% of the selling price or $100.

Income from Care & Maintenance

11. The income from the Care and Maintenance Fund shall be expended by the City in such a manner as will be most advantageous to the Interment Rights Holders as a whole. The City Council has the full power and authority to determine upon what property, for what purpose and in what manner the income from said Care and Maintenance Fund shall be expended for the care, reconstruction, repair and maintenance of all or any portion of the Cemeteries' grounds, and, it may also expend said income for attorney's fees and other costs necessary to the preservation of the legal rights of the City in connection with the Cemeteries.

Cemetery's Duty

12. The Corporation shall provide each Rights Holder at the time of sale with:

    1. a copy of the contract.
    2. a copy of the Cemetery By-laws
    3. upon payment in full, a Certificate of Interment Rights.

Puchaser's Rights

13. Purchasers of Interment Rights acquire only the right and privilege of burial of the dead and of constructing monuments or placing markers, subject to the Cemetery By-laws from time to time in force and approved by the Ministry of Consumer and Commercial Relations.

Interments

14. No Interment Rights will be granted onto a roadway or pathway unless the road or pathway is closed.

Transfers to Others

15. To ensure the correctness of records of ownership and interments, no transfer of any Interment Rights or any interest therein shall be binding upon the Corporation until notice is given in writing to the Manager of the Cemeteries, specifying the name and address of the proposed transferee and date of transfer, and such particulars have been entered in a register for that purpose. Upon receipt of such notice, and payment of a fee, the transfer shall be made.

Transfer by Heirs

16. Where a transfer of Interment Rights for a burial lot is made by the heirs or a representative of a deceased Rights Holder, proof by sworn declaration or otherwise that such heirs or representatives, have a right to convey shall be made to the satisfaction of the Manager of Cemeteries before such transfer shall be registered.

Repuchase Rights

17. An Interment Rights Holder may require, by written demand, the Cemetery to repurchase the rights at any time before they are used. The Cemetery shall repurchase the Rights within thirty days from the date that the request was received.

Repurchase Formula

18. The repurchase price of the Interment Rights, shall be the amount paid by the purchaser for the rights less the amount paid by the cemetery owner to the Care and Maintenance Fund. This also applies to all purchases or contracts that were made before this Act came into being.

Unknown Price

19. If the original selling price is unknown, the repurchase price shall be deemed to be $50.00 according to the Cemeteries Act, R.S.O., 1990.

Limit of Repurchase

20. In accordance with the Cemeteries Act, R.S.O., 1990, the Corporation is not required to repurchase the Interment Rights for more than four lots held by the same interment right holder in a twelve month period.

Time Limit to Repurchase

21. The Corporation after receiving such a demand, shall repurchase the Interment Rights within thirty days after receiving the demand.

No Refund

22. NO REFUND will be made for any lot if any Interment Rights have been exercised.

Cancellation Period

23. Any purchaser of supplies or services from The Corporation may cancel, by written notice to the Corporation, to the attention of the Manager, the contract to purchase at any time before the services or the supplies are provided. No supplies will be ordered or service supplied until the 30 day grace period has passed.

Cancellation Void

24. Section 23 does not apply if the supplies or services are provided within thirty days after the contract is made as a result of the death and interment of the person for whom the supplies or services were contracted.

Responsibility

25. Interment Rights Holders and pre-need Rights Holders are responsible to keep the cemetery office informed of any changes to the contract, especially address and telephone number.

Rights Abandoned

26. If any Interment Rights have not been used after a 20 year period has passed, they may be considered abandoned. The cemetery may apply to the Registrar of the Ministry for a declaration that the Interment Rights are abandoned after making inquiries and giving reasonable notices to find the Interment Rights Holders or beneficiaries. Upon being satisfied that the rights are abandoned, the Registrar shall issue a declaration to that effect. If there is not an appeal by the end of the time period allowed for appeal, the Cemetery may resell the lot in question.

Redress for Abandoned Rights

27. Any person whose Interment Rights have been resold after being declared abandoned may apply to the Registrar for redress. Upon receiving an application for redress, the Registrar shall order the Corporation to provide better or equivalent Interment Rights in that cemetery or to refund the amount that it would cost to purchase better or equivalent Interment Rights in the cemetery or if no Interment Rights are available in the cemetery, in the closest cemetery appropriate to the religious or ethnic affinities of the person whose Interment Rights have been resold.

D) Interments and Disinterments

Winter

1. Winter interment shall take place weather permitting.

Limits

2. Not more than two interments shall be made in any single grave except:

    1. in areas designated for single depth interment.
    2. the cremated remains of not more than 2 persons.
    3. in addition to a standard interment, the cremated remains of not more than 1 person.

Container Requirement

3. Remains to be buried in a lot or grave must be enclosed in a container, sealed securely, and of sufficient strength to permit burial with the container remaining intact. The container must be of a size to permit burial within the size of the lot.

Authorization

4. All interments must be authorized in writing by the Interment Rights Holder except the interment of the Interment Rights Holder.

Supervisor

5. The Manager of the cemetery, their assistant or someone in the employ of the Corporation shall be in attendance at each interment.

Requirements for Internment

6. A burial permit issued by the Division Registrar, showing that the death has been registered, the fee for the opening of the lot or grave according to the fee found in the Tariff of Charges and a signed contract, must be deposited with the Manager of Cemeteries before interment can take place.

Requirements for cremation Internment

7. In the case of a cremation interment, the cremation certificate and the prescribed fee for this service according to the Tariff of Charges plus a signed contract must be deposited with the Manager of Cemeteries.

Funeral Directors

8. Funeral Directors ordering graves will not be responsible for charges incurred, but must send the immediate family or person responsible for burial to the Cemetery office to arrange payment of all charges incurred before the burial takes place. If no family is available the Funeral Director is responsible for charges and signing of contracts.

Authorizaiton

9. When Interment Rights in a lot/grave are held jointly by two or more persons, an order will be accepted from either or any of them or their authorized representatives, for interment in such part of the lot or grave as may be requested.

Opening Rights

10. No lot or niche shall be opened for interment or disinterment by any person not in the employ of, or under the direction of the Cemetery, except under special circumstances, and by permission of the Manager of Cemeteries.

Fee Includes

11. The interment fee includes the opening and closing of the lot, grave or niche and the registration of the burial.

Disinterments

12. No person shall remove human remains, except cremated remains from a cemetery unless a certificate of a Medical Officer of Health and the Manager of Cemeteries confirming that the Cemeteries Act and the regulations have been complied with is affixed to the container. A burial certificate under the Vital Statistics Act is not required to reinter human remains that have been disinterred according to the Cemeteries Act and regulations.

Responsibility

13. The Cemetery will exercise all due care in making burials and interments but is not responsible for damage to any casket, urn or other container sustained during disinterment.

No Interment

14. No interment shall be permitted in any lot, grave or niche where the burial rights have not been paid in full.

Funeral Routes

15. Funeral corteges within the cemetery shall follow the route indicated by the Manage or their Designate.

Cemetery Rights

16. The Cemetery shall have the sole right to supply tents, lowering devices and grave dressings at all burials. Charges for the foregoing work will be made according to the rates laid down in the Tariff of Charges.

Correction

17. The Cemetery reserves the right, at its cost, to correct any error that may be made by it in making interments, in the description of the lot, or the transfer or conveyance of any Interment Rights. The Cemetery may either cancel such grant and substitute other Interment Rights, or lot of equal value and similar location, as far as is reasonably possible; or refund all money paid on account for such purchase. Notice will be given personally to the Rights Holders. If necessary, it may be mailed to the Rights Holders or their legal representatives, at their last appearing address in the record books of the Cemetery. In the event any such error may involve the disinterment of remains, the Cemetery shall first obtain the approval of any regulatory authority and the Interment Rights Holder.

Not Reponsible

18. The Cemetery shall not be held responsible for any errors in any arrangements made over the phone. These arrangements shall be made in writing when the contract is signed.

Notice

19. Notice of each interment to be made shall be given to the Manager of the Cemetery at least 8 working hours in advance. The Cemetery cannot be held responsible for having graves prepared for funerals unless such notice is given.

Animal Burials

20. Bodies of any animals shall not be buried in the Hamilton Cemeteries.

Sunday & Holiday

21. The Cemetery will not do any Sunday or Statutory Holiday interments unless ordered to do so by a representative of the Ministry of Health.

Disaster Authority

22. In the event of a disaster which results in numerous interments in the Cemeteries, the Cemetery crew will work whatever hours are necessary as authorized by the Cemetery Manager. The Cemetery Manager has the authority to handle the numerous interments as orderly and as quickly as possible.

Delay in Internment

23. The Cemetery shall in no way be held liable for any delay in the interment of a body where a protest to the interment has been made, or where these By-laws have not been complied with; and further, the Cemetery reserves the right under such circumstances to place the body in a receiving vault until the full rights have been determined. The Cemetery shall be under no obligation to recognize any protests of interments unless they are made in writing and filed with the Cemetery Manager.

Additional Fees for Changes

24. If, for any reason, instructions concerning the location of the burial space to be opened are changed by the Funeral Director, Interment Rights Holder or their representatives after the digging has begun or been completed, they are responsible for the payment of applicable additional fees to the Cemetery. Such fees shall be paid before any work is done pursuant to the revised instructions.

Scattering

25. Scattering of Cremated Remains is not allowed in a Cemetery.

2 Remains

26. No more than two (2) Cremated Remains are to be interred in a Cremation Space.

Internal Dimensions

27. It is the responsibility of the Interment Rights Holder to check with the Cemetery as to the internal dimensions of Columbariums, Cremorials etc., so that urn or urns fit properly.

E) Care of Lots - General

Care by Employee

1. All lots and graves shall be maintained, kept properly graded, sodded, mown and flat markers and sunken graves levelled by employees of the Cemetery.

Not Include Watering

2. The care of lots does not include the watering of the grass and care of shrubs etc., as the Cemetery does not bind itself to expend a greater amount for such care than is received for that purpose.

Manager's Permission

3. No person shall do any work upon a burial lot without the permission of the Manager.

Bushes & Shrubs

4. Dwarf evergreen trees, shrubs, flowering or other plants may be cultivated only on the lots that are in designated sections of the Cemeteries, and only in such varieties that are in keeping with the general plan of the grounds and subject to the approval of the Manager. No trees or shrubs growing within any lot may be removed or altered without the consent of the Manager.

Restrictiosn

5. In designated sections, dwarf evergreen trees are permitted only on lots having a monument, and only one shall be planted on either side of the monument. All plantings must be approved by the Manager.

Height

6. The height of such shrubs and/or ornamental trees shall at no time exceed 2.44 meters (8 feet) above adjacent ground level.

Width

7. The diameter of such shrubs and/or ornamental trees at their widest point, including all foliage shall at no time exceed 45.72cm (18 inches), or obstruct adjacent lots.

Outside Contractors

8. Rights Holders desiring outside gardeners to do work on their lots must furnish the Manager with written authority for the same. Gardeners or florists or their employees shall not enter the Cemetery on Sunday for business purposes.

Notice

9. If any trees or shrubs situated in any lot shall have become by means of their roots or branches or in any other way, detrimental to the adjacent lots, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public, the Cemetery may remove such trees, shrubs or parts thereof after 30 days notice to the Interment Rights Holder. If such item is detrimental to a burial, then no notice is required.

Glass

10. NO GLASS CONTAINERS of any kind are allowed in the cemetery at any time due to safety requirements.

Articles

11. Nails, wires, wooden crosses, articles of glass or pottery or any other material that create a hazard to workers and to visitors when neglected or broken are not allowed in the cemetery.

Landscape Borders

12. Borders of landscape rubberized variety, properly installed are allowed on Cemetery Property

Other Borders

13. All other fences and borders are disallowed because of safety and operational hazards.

Materials

14. Implements or materials used in doing any work within the cemetery shall be removed without delay and if this is not done, the Manager shall remove the same without recource by the owner or user thereof.

Change of Grade

15. No Interment Rights Holder shall change the grading of their lot, and in case of any such change, the Cemetery will restore the lot to its original grade at the expense of the Interment Rights Holder.

Moving Markers

16. No unauthorized person shall sod, move cornerposts or lot markers.

Control

17. All grading, burials, foundations, landscaping, disinterments, removals, improvements, settings and all care of lots shall be done or controlled by the Cemetery.

Corporation Not Responsible

18. The Corporation shall not be responsible for loss or damage to any articles left upon any lot or grave.

F) Care of Lots - Flowers

Right to Remove

1. The Cemetery reserves the right to remove all flowers, potted plants, wreaths and baskets of flowers when they become withered or unsightly, or when for any other reason such removals are in the best interest of the Cemetery.

Artificial Flowers

2. Artificial flowers are permitted from Nov. 1 to April 1, provided they are properly maintained and not detrimental to the general maintenance of the cemetery.

Hanging Baslets

3. Hanging flower baskets are allowed in the designated flower garden areas if properly maintained. The Cemetery will remove those that are not properly maintained .

Flower Beds

4. In designated sections only; flower beds not exceeding 45.72cm (18 inches) in width shall be permitted in front of the bases of monuments and markers, and where there is no monument or marker, can only be made by permission of, and under the supervision of the Manager. .

Receptacles for Flowers

5. Receptacles for cut flowers shall be placed below the surface of the lawn.

Unplanted Flower Beds

6. To preserve the orderly appearance in the cemetery, any flower bed of the previous year which has not been planted by June 15th, may be sodded by the Cemetery and the cost charged to the Interment Rights Holder.

Removeal of Wanted Flowers

7. Flower beds shall to be cleared of tender plants after the first frost of the autumn. Rights Holders desiring to take any plants away should do so before their removal becomes necessary.

Potted Plants

8. Potted plants must be in flowerbed area as close to the monument base or marker as practical.

Roses

9. Rose bushes are not permitted anywhere in the Cemeteries.

Wreaths

10. Artificial wreaths without glass or plastic covers are allowed to be placed on the lot after November 1, provided they are securely fastened to a stand and securely anchored to the ground.

Wreath Removal

11. To preserve the proper appearance of the grounds, and to allow spring cleanup, artificial wreaths must be removed before April 1st of each year, otherwise Cemetery authorities will remove them.

G) Monuments and Markers - General Information

Payments

1. No monument or other structure shall be erected or permitted on a lot until accrued charges have been paid in full.

Requirements

2. All installations of foundations and markers shall be arranged by the Rights Holder through the Cemetery Office subject to the conditions of these by-laws. Contracts are required to be signed and the fees paid according to the Tariff of Charges.

Inscriptions

3. No inscription shall be placed on any monument which is not in keeping with the dignity and decorum of the cemetery.

Permission

4. No monument, footstone, marker or memorial of any kind shall be placed, moved, altered or removed without permission from the Manager.

Requirements

5. No monument or marker will be delivered to the cemetery without the Request for Installation form containing the following information:

    1. The Interment Rights Holders name & address.
    2. Instructions for placement of the marker or monument.
    3. The dimensions in the case of a flat marker.
    4. In the case of a monument:

        1. The dimensions of the die, height, width, length.
        2. The dimensions of the base, height, width, length.
        3. The overall size of the monument.
        4. A description of the monument; colour and design.

5. The appropriate amount for the Care & Maintenance Fund in relation to the size of the marker/monument as set out in the Cemeteries Act, R.S.O., 1990, must accompany the monument.

Care & Maitenance Fund

6. Every person installing a monument or marker in the cemetery shall pay the prescribed amount, as set out in the Cemeteries Act, to the Corporation's, Care and Maintenance Fund. The interest earned from this fund will be used to maintain the markers or monuments in a safe condition.

Formula

7. The amounts are as follows:

1. For installing a flat marker measuring at least 1115.85 square centimeters (173 square inches), $50

2. For installing an upright marker measuring 1.22 meters (4 feet) or less in height and 1.22 meters (4 feet) or less in length, including the base, $100

3. For installing an upright marker measuring more than 1.22 meters (4 feet) in either height or length, including the base, $200

Safety

8. If a monument or marker in a cemetery presents a risk to public safety because it is unstable, the Cemetery shall do whatever is necessary by way of repairing, resetting or laying down the marker to remove the risk.

Bronze

9. The use of bronze is approved for doors and window grilles of mausoleums and other mausoleum fixtures and statuary, also for tablets when attached to granite flat markers.

H) Monuments

Definition

1. For the purpose of the regulations, a monument shall be understood to mean any permanent memorial projecting above ground level and on a base.

No Liability

2. The Cemetery will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to, any monument,or part thereof except where such damage or loss is due to its negligence.

Mower Wear

3. Minor scraping of the base portion of the upright monuments due to the turf mowing operation is considered by the Cemetery to be normal wear.

Control

4. The Cemetery reserves the right to determine the maximum size of monuments, their number and their location on each lot. They must not be of a size that it would interfere with any future interments.

Duplication

5. A monument should be designed with reference to its surroundings, consideration being given to the number, size and character of others near at hand. Interment Rights Holders are earnestly requested not to duplicate any design in the immediate vicinity of their lots.

Checking With Cemetery

6. After selecting a monument or headstone, Interment Rights Holders should not close the purchase until they have advised the Manager of the size, style and material, and found whether the rules will admit of its being erected or not. It often happens that a monument can not be erected because the lot is too small, or because there are trees or graves in the way, or because the lot is a restricted one, upon which no monument is allowed.

Composition

7. Interment Rights Holders, subject to the approval of the Manager, shall have the right to erect proper stones or monuments, but all such stones and monuments must be free from visible defects, as regards to their quality of endurance, nor shall any veneered marble monuments be erected, and no tablet or monument or other structure composed in whole or in part of wood or iron shall be placed upon any lot, but all headstones shall be made of granite or other durable material, and no artificial stone will be permitted to be used for the above purposes.

2 Graves

8. A 2 grave lot is allowed one upright monument, 2 footstones and 4 cornerposts. Due to the work involved to keep these level, the quantity allowed on a lot is restricted.

Overall Restriction

9. Except as herein otherwise specially provided, no monument or marker will be permitted covering a ground space of more than 10% of the total area of the lot or fraction of lot on which it is placed.

Single Grave

10. No upright monument is allowed upon a single grave unless in areas designated forsuch.

Size

11. The maximum size monument allowed on a double lot is:
Height 1.22 meters (4 feet) overall height (including base)
Maximum Base size 96.52cm (38 inches) by 35.56cm (14 inches)

Horizontal Force

12. All monuments must be able to withstand a minimum of 100 lbs. of horizontal force applied anywhere on the monument without toppling. This must be achieved in the dry mode (no caulking).

Thickness

13. The minimum thickness of a die shall be 20.50cm (8 inches). Should the monument exceed 122.92cm (48 inches) overall height, the die must be 25.40cm (10 inches).

Dowelling

14. All monuments with dies that are less than 20.32 cm (8 inches) thick must be dowelled to the base and able to withstand the 100 lbs. standard.

Dowel Composition

15. Dowels must be made of minimum 127 mm (1/2") non-corrosive material (preferably 300 series stainless steel) or bronze. The hole depth must be a minimum of 7.62cm (3 inches) deep and no more than 32 mm (1/8") larger in diameter than the diameter of the dowel.

Bases

16. The die stones must be installed on a granite base. The height of the base shall be minimum of 20.3 cm. (8 inches). The top surface of the base must be both wider and longer than the die in order to provide a minimum border of 7.6 cm. (3 inches) of the surface of the base exposed on all sides. Bottoms of the base shall be smooth sawn.

Width

17. The maximum width of a base is controlled by the width of the lot where it will be installed. No base shall be closer than 7.6 cm (3 inches) to the lot width side lines on which it is to be installed.

Vertical Joints

18. To ensure stability, no mausoleum, vault or monument shall have any uncovered vertical joints.

Inscription Both Sides

19. Unless adjoining lots are owned, both sides of the stone cannot be used.

Alignment

20. Monuments must be placed at the center of the head end of the lot except where alignment with existing nearby monuments justifies another location. Approval of the location must be obtained from the Manager before a monument is set.

Pillow

21. No book or pillow markers shall be allowed in the cemetery.

Photographs

22. All photographs attached to any memorials or placed within the cemetery grounds shall be the sole responsibility of the owner.

Foundations

23. All foundations for monuments and markers shall be built by, or contracted to be built for, the Cemetery at the expense of the Interment Rights Holder.

Charges

24. The charges for the construction of foundations are set forth in the Tariff of Charges.

Season

25. No foundations may be constructed after November 15th in any year and before April 1st in the following year.

Compostion

26. The foundation shall be built in the designated space and in the proper dimensions of the monument base. If incorrect dimensions have been given on the application form, signed by the Interment Rights Holder and/or the supplier, the foundation must be immediately removed and shall be rebuilt by the Corporation at the expense of the Interment Rights Holder. Foundations will be not less than 1.52 meters (5 feet) deep and they will be set at the Manager's direction.

    1. The required concrete mix for foundations will be:
    20.5 MPA
    75 mm slump
    20 mm aggregate
    5% +/-1% Air Entraining agent
    Trowel finish all edges.

    2. The surface area shall be flush with the surrounding ground level and shall provide a level surface free of defects.

    3. Foundations must be cured for a minimum of 48 hours before placing the monument.

    4. The finished concrete shall be protected from wind, rain or sun during curing, by covering it completely with a piece of plywood having a minimum thickness of 1.27cm (1/2 inch).

I) Markers

Permits

1. An Interment Rights Holder can have an approved marker installed at the head of the grave AFTER providing the Manager with a marker permit and paying the fee listed in the Tariff of Charges.

Season For Installation

2. Markers will be accepted for installation during regular working hours. If weather and ground conditions permit, installations will be made within 30 days after acceptance. Markers will not be accepted from any monument dealer for storage during the winter months.

Sizes

3. Markers or Footstones of granite are permitted with size and quantity restrictions according to the section of the cemetery and the regulations as per the size of lot in that section. Its placement must not interfere with future interments.

single in a row maximum	45.72cm x 60.96cm 18" x 24"
preferred single grave	45.72cm x 60.96cm 18" x 24" Only
two grave lot maximum	45.72cm x 60.96cm 18" x 24"
cremation lot	25.40cm x 30.48cm 10" x 12" Only
children's grave	25.40cm x 30.48cm 10" x 12" to 45.72cm x 35.56cm 18" x 14" depending on grave size

Set Level

4. Flat Markers are to be flat on top and set level with the ground so that a lawnmower can pass safely over them and shall be set by employees of the Cemetery, at the expense of the Interment Rights Holder, on payment of the fee provided in the Tariff of Charges.

Use of Bronze

5. The following applies to bronze markers when used as flat markers:

    1. The casting shall be true, free from blemishes and weakening defects and imperfections, and without any "sandlike" roughness.

    2. All bronze markers shall be cast with integral bosses on the back in locations specified by the cemetery; the bosses to be drilled or tapped to receive lugs of brass or bronze of 95mm (3/8") diameter and from 10.16cm to 15.24cm (4" to 6") in length. The necessary number of anchor lugs to be supplied by the dealer with each marker.

    3. Every bronze marker must be bolted through granite measuring 45.72cm x 60.96cm (18"x 24") and 10.16cm (4") in thickness.

    4. The bronze alloy in markers shall consist of approximately 85% copper, 5% tin, 5% zinc, 2% lead; with all other elements not exceeding 3%.

Foot Marker

6. One marker may be placed at each grave in addition to the monument. The marker shall be placed at the end of the lot farthest from the monument and shall not exceed 45.72cm x 60.96cm 18" x 24"

Thickness

7. The minimum thickness for all flat markers including footstones is 10 cm (4 inches).

J) Rules for Monument Dealers, Contractors and Workers

Procedure

1. No monument or marker will be delivered to the cemetery without the proper documents. See Sections G Ð 2 & 5 for description of documents.

Notice

2. Monument dealers must state on each order the date they wish foundations ready and must give at least fifteen working days notice before the work is required.

No Delivery

3. No monument or marker may be delivered to the cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection.

Removal

4. No monument or marker mayl be removed without written permission from the Manager.

Worker's Compensation

5. All companies who do work in the Hamilton Municipal Cemeteries, shall have Worker's Compensation coverage for their workers as well as sufficient liability insurance.

Heavy Materials

6. Contractors, masons and stone-cutters shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from injury.

Variance

7. There shall not be a variance of more than 1.27cm (1/2 inch) in the size of the base required as stated on the work order and the size of the monument delivered.

Behaviour

8. The demeanour and behaviour of all workers employed by others in the cemetery, shall be subject to the control of the Manager.

Cessation of Work

9. Workers shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.

Working Hours

10. All work must be done during regular cemetery hours, unless by special permission of the Manager.

Saturday Work

11. No work shall be commenced on Saturday that cannot be finished, including the litter and debris removed, by the hour of noon of that day.

Heavy Loads

12. Heavy loads shall not be permitted in the cemetery when the roads are in unfit condition.

Heavy Trucks

13. Heavy hauling trucks or commercial vehicles are not permitted within the cemetery grounds unless they have a cemetery business purpose.

Driving & Parking

14. No monument dealer shall park or drive on the grass unless otherwise directed to do so by the Manager or their Designate

Closure

15. The Cemetery Manager shall have the right to close a pathway or road at any time.

Clean-up

16. All implements and materials used in the performance of any work shall be placed where the Manager may direct, and all rubbish and surplus earth shall be removed when, and to where, and in such manner as the Manager may order. Otherwise the obstructions will be removed, and the expense charged to the monument dealer.

Marker Setting

17. If a monument company desires to set a flat marker they must make written arrangements as to time of installation with the Manager as all work must be supervised by an employee of the Cemetery. The Monument dealer shall pay to the Cemetery the prescribed fee plus necessary taxes for supervising the monument companyÕs people.

Canvassing

18. Canvassing for orders or distributing business cards in any of the Cemeteries is forbidden.

K) Columbarium Regulations

Rules

1. All the general rules and regulations of the Hamilton Municipal Cemeteries shall apply to the columbarium as far as the nature of the case permits.

Certificate

2. A proper Certificate of Cremation must accompany all cremains before inurnment can take place.

Authorization

3. No inurnment shall be made without the permission from the burial Rights Holder or a proper representative of the estate if the burial Rights Holder is deceased.

Work Done

4. Compartments will be opened only by employees of the Hamilton Municipal Cemeteries and sealed by them after an inurnment is made.

Two Max.

5. Each compartment is intended for two urns. An Interment Rights Holder should check internal dimensions before purchasing urns.

Registering

6. It is advisable that, the name of the person for whom inurnment is intended, be registered on the books of the Cemetery, so that no complications may arise when request for inurnment is made.

Payment

7. No inurnment shall be permitted until all payments due to the Cemetery have been made and a contract been signed.

Articles Left

8. Flowers, wreaths and designs placed against or near any part of the Columbarium that are liable to stain or deface the structure, will be removed.

Glass

9. No glass vases or other breakable item should be placed around the columbarium.

Floral Design

10. Flower designs made on wire frames shall have the wire covered to prevent staining or marking the granite.

Transfer

11. No transfer of burial rights to a columbarium shall be valid until approved by and recorded in the books of the Cemetery. A transfer fee will be charged according to the fees set out in the Tariff of Charges and according to the Cemeteries Act.

Urn Size

12. The number of cremated remains to be placed in each niche is determined by the urn size and niche dimensions and in accordance with the designated policy for each columbarium.

L) Mausoleum Regulations

Construction

1. No vault or mausoleum will be constructed unless a complete working plan with specifications is first submitted to the Cemetery Manager, and the costs recovered from the Interment Rights Holder.

Removal

2. Should the maintenance fund for a Private Vault become exhausted and further repairs become necessary, the Corporation may make application to the Minister of Health and to the Registrar to have the bodies removed from the vault and to reinter the same elsewhere in the cemetery and to take down and remove the structure. All claim to or in the land and vault by the former owners or owner, shall cease and be at an end upon such approval given.

One Casket

3. No more than one casket shall be placed in a crypt except in a crypt designated for more than one.

Extra Urn

4. The Cremated Remains of not more than one person can be placed in a crypt in addition to the casket, only under special circumstances and by permission of the Cemetery Manager.

M) Rules for Visitors

Cemetery Hours

1. Visitors are always welcome at the cemetery during the open hours, from 8:00 a.m. until sundown. They are asked to remember the respect due to the sacred grounds.

Office Hours

2. The Cemetery Office is open Monday through Friday from 8:30 a.m. to 4:30 p.m. unless a recognized Holiday falls within these times. The Cemetery Office is open during Saturdays of posted long weekends from 8:30 a.m. to 12:00 p.m.

Authorization

3. Employees of the Police Department and Hamilton Municipal Cemeteries, while on recognized duty, are allowed in the cemeteries, after the prescribed times.

Police Power

4. Hamilton Wentworth Police have the authority to remove anyone from the Cemetery whose presence is believed, by them or the Manager, not to be in the best interest of the Cemetery.

Preserve Order

5. The Manager and designated assistants are empowered and are required to preserve order and decorum in the cemetery.

Parades

6. No parades other than funeral processions shall be admitted to or be organized within the cemetery without permission of the Manager.

Children

7. Children under the age of twelve years are welcome in the Cemetery grounds when accompanied by an adult, who shall be responsible for their good conduct and shall see that they do not run over the lots or climb upon the monuments.

Speed Limits

8. Vehicles within the cemetery shall be driven at a rate of speed no greater than 25 km/h (15 mph) and shall not leave the avenues or park on the grass unless directed to do so by the Manager.

Entry

9. No person shall enter the cemeteries except through established gates or roadways.

Recreational Vehicles

10. No pleasure ATVs. (all terrain vehicles) or snowmobiles are allowed in the cemetery.

Bicycles

11. Bicycles shall be permitted on cemetery roadways, but shall not be ridden on grassed or planted areas.

Damages

12. Proprietors of vehicles and their drivers shall be held responsible for any damage done by them. They will be held liable to repair or replace the damaged property to its former state.

Firearms

13. Discharging of firearms, other than in regular volleys at burial services is prohibited in and around the cemetery.

Dogs

14. Dogs or other pets shall be allowed in the cemetery only if restrained by an appropriate leash and accompanied by their owner. Said owner is responsible to clean up any animal residue.

Consumption of Food

15. No persons shall consume food or refreshments on Interments Rights HolderÕs property, but may in open areas as long as no littering or damage occur.

Alcohol	16.	No person shall bring or consume any alcoholic beverages on cemetery property.
Damage	17.	Any person who, in the cemetery, damages or moves any tree, plant, marker, fence, structure or other thing usually erected, planted or placed in a cemetery is liable to the Corporation and any Interment Rights Holder who, as a result, incurs damage. The amount of damages shall be the amount required to restore the cemetery to the state that it was in before anything was damaged or moved by the person liable.
Flowers	18.	No person shall pick or destroy flowers (wild or cultivated) growing in the Cemetery.
Complaints	19.	Any complaints or requests by Interment Rights Holders or visitors should be made at the Cemetery Office in person or by telephone, and not to workers on the grounds. The Cemetery office is located at 777 York Boulevard. Telephone calls will be accepted during normal business hours at 546-4704.
Controversies	20.	Controversies with workers or others on the grounds are to be avoided. Please bring concerns to the Cemetery Office.
Rubbish	21.	Rubbish shall not be thrown on roadways, lots or walkways or any part of the grounds. Receptacles are provided at convenient points on the grounds for the deposit of weeds, decayed flowers, plants, etc.
Disturbing Peace	22.	Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates these by-laws, may be expelled from the grounds.
Articles Left	23.	Any article which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or is unsightly or does not conform with the natural beauty or design of the cemetery, may be removed by the cemetery. An article removed will be held at the cemetery for collection. If not collected, it will be disposed of after 60 days.
Gratuities	24.	No tips or gratuities are to be given to cemetery workers by visitors or Rights Holders, nor shall any be accepted by any cemetery worker.
Damage Beyond	25.	The Cemetery shall take reasonable precautions to protect the Interment Rights Holder from loss or damage. The Cemetery shall have the right to hire security guards, but is under no legal obligation to do so.
Filming	26.	No filming is allowed on the Cemetery grounds without permission of the Manager of Cemeteries. Commercial filming must be authorized by the procedure set by Parks & Recreation Committee.

PASSED this *30th* day of *May* , 1995.

CITY CLERK

MAYOR

(1994) 1 R.P.R.C. 4, December 13

Bill No. **B-3**

The Corporation of the City of Hamilton

BY-LAW NO. 95- *126*

To Replace:

By-Law No. 89-74

RESPECTING PARKS

WHEREAS prior to December 31, 1973, the general management, regulation and control of Parks, avenues, boulevards and roadway drives belonging to the Corporation of the City of Hamilton were vested in the Board of Park Management of the City of Hamilton, pursuant to the Public Parks Act, R.S.O. 1970, Chapter 384;

AND WHEREAS on December 31, 1973, the said Board of Park Management was dissolved and the assets and liabilities thereof became on the 1st day of January 1974, assets and liabilities of The Corporation of the City of Hamilton, pursuant to Section 136 of The Regional Municipality of Hamilton-Wentworth, 1973;

AND WHEREAS The Corporation of the City of Hamilton may exercise all or any of the powers that are conferred on Boards of Park Management by the Public Parks Act, pursuant to Section 207, paragraph 52 of the Municipal Act, R.S.O. 1990, Chapter M.45;

AND WHEREAS paragraph 42 of Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45 provides for the prohibition of vehicles from sidewalks, pathways or footpaths in Parks;

AND WHEREAS By-law No. 77-221 was passed on the 30th day of August 1977 by the Council of The Corporation of the City of Hamilton;

AND WHEREAS By-law No. 77-221 was consolidated by By-law No. 89-74, which was enacted on the 28th day of February, 1989;

AND WHEREAS City Council, on the 30th day of May 1995, in adopting Section 29 of the Twelfth Report of the Parks and Recreation Committee authorized the enactment of this By-Law to replace By-law No. 89-74;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

In This By-law,

Definition

1. (a) *Authorized Sign* means any sign, notice, or other device placed or erected in or upon a Park under the authority of this By-law;

(b) *Bicycle* includes a tricycle and unicycle, but does not include a motor assisted bicycle;

(c) *City* means the City of Hamilton;

(d) *Control* includes care and custody;

(e) *Council* means the council of the Corporation of the City of Hamilton;

(f) *Commercial Motor Vehicle* means a Motor Vehicle having attached to it a truck or delivery body of unit;

(g) *Designated Area* means any area defined or constructed for a specific use which may include Posted conditions;

(h) *Disabled Person* includes a person who is blind or who has any degree of physical disability, which requires the physical reliance on a wheelchair, crutches, braces, canes or other similar remedial appliance or device;

(i) *Director* means the Director of Public Works of the City or his or her designate; except where otherwise noted.

(j) *Motor Vehicle* means a Motor Vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, C.H.8 as may be amended from time to time;

(k) *Motorized Recreational Vehicle* means a snowmobile, go-cart, trail bike, mini bike, all-terrain Vehicle, or similar Vehicle, propelled or driven by an internal combustion engine;

(l) *Organized Sport* or *Activity* means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players or members wear uniforms;

(m) *Permit* means any written authorization of Council, a committee established by Council, the Director where such authority has been delegated or the Director of Culture and Recreation where such authority has been delegated.

(n) *Post* or *Posted* refers to the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and "Posted Area" means an area where such signs are erected;

(o) *Park* means any land, and land covered by water and all portions thereof owned by or made available by lease, agreement, or otherwise to the City, that is or hereafter may be established, dedicated, set apart or made available for use as a public open space or golf course, and that has been or hereafter may be placed under the jurisdiction of the Director including any and all buildings, structures, facilities, erections, and improvements located in or on such land, save and except where such land is governed by other By-Laws of the City;

(p) *Public Parking Area* or *Parking Space* means any area of the Park on which there is an Authorized Sign designated by the City for such purpose;

(q) *Residence* means a place that is actually occupied or used as a residential building;

(r) *Vehicle* includes a Motor Vehicle as defined under the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, and any bicycle, carriage, wagon, sleigh or other Vehicle or conveyance of every description, whatever the mode of power, but excludes wheelchair or similar device (powered or otherwise) used by an individual due to disability, bay carriage or cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature;

(s) *Watercraft* means any device for conveyance in or on water and includes but is not limited to power boats, row boats, sailboats, sailboards, canoes, kayaks, or dinghies

Part 1 - Use Of Parks - Conduct

Restricted Areas

2. While in a *Park,* no person shall enter into areas *Posted* to prohibit or restrict admission of the public.

Conduct

3. While in a *Park*, no person shall

(a) indulge in any riotous, violent, threatening, or illegal conduct or use profane or abusive language;

(b) cast, throw or in any way propel any object in such a manner as may or does endanger or cause injury or damage to any person or property;

(c) spy, accost, frighten, annoy or otherwise disturb other persons; or

(d) create a nuisance or in any way interfere with the peaceful enjoyment of the *Park* by other persons

Firearms and Offensive Weapons

4. While in a *Park*, no person shall be in possession of or use any firearm, air gun, bow and arrow, axe or offensive weapon of any kind unless authorized by the *Director.*

Fireworks

5. While in a *Park*, no person shall ignite, discharge or set off any firecrackers, rockets or other fireworks except as a fireworks display authorized by *Permit.*

Injury and Damage

6. No person shall in any *Park:*

(a) climb any building, structure or equipment, unless it is equipment designed for climbing;

(b) break, injure, deface, move or remove the whole or any part of any flowers, plant material, trees or other vegetation or any building, structure, equipment or other property of the *City*;

(c) unless authorized by *Permit*, climb move or remove the whole or any part of rocks, boulders, rock faces or remove any soil, sand or wood;

(d) in any manner, disturb ground which is under repair, prepared for planting, has been newly seeded or sodded or is in an area *Posted* to that effect; or

(e) conduct research, or remove any relict, artifact or natural object

(f) drive, park or walk in an area *Posted* to prohibit same. except with the written permission of the *Director*.

Waste and Pollution

7. No person shall in any *Park:*

(a) dispose or dump garbage, litter, tree trimmings, or any other refuse, except that which is generated through the normal use of the *Park* and shall only deposit same in receptacles provided for such purpose;

(b) dispose of or dump garden refuse except in a *Designated Area* therefore;

(c) unless authorized by *Permit,* dump or deposit snow, fill, soil, building or construction materials;

(d) dump or drain onto any soils or into the waters of any pool, pond, lake, stream, fountain or watercourse of any kind any material, toxic or otherwise, which may have the effect of polluting same

(e) release any balloons, except in accordance with Schedule "A".

Protection of Wildlife

8. While in any *Park*, no person shall:

(a) subject to the provisions of section 20, kill, attempt to kill, maim, injure, trap or disturb any animal, bird, waterfowl, fish, worms, or other wildlife; or

(b) touch, injure or remove any nest or egg therefrom.

Animal and Fish Displays

9. While in any *Park*, no person shall:

(a) feed or attempt to feed any wild bird or fish or any bird or fish owned by or under the control of the *City* unless *Posted* otherwise;

(b) throw, deposit, place or attempt to throw, material of any kind whatsoever in any area where birds or fish are kept for public display; or

(c) kill, attempt to kill, maim or in any way injure or molest any bird, waterfowl or fish that is kept for public display.

Encroachment

10. Unless authorized by *Permit*, no person shall encroach upon or take possession of any *Park* by any means whatsoever, including the construction, installation or maintenance of any fence or structure, the dumping or storage of any materials, or planting, cultivating, grooming or landscaping, thereon.

Alcohol

11. While in a *Park*:

(1) no person shall consume, serve or sell alcoholic beverages unless authorized by a *Permit* issued by *Council* and with the approval of the Liquor Licence Board of Ontario; and

(2) Any person who consumes, serves or sells alcoholic beverages in a *Park* shall obtain sufficient insurance to conform with current council policy of Liquor Act liability insurance, naming the *City* as an insured.

Part II - Park Use

Campfires and Barbeques

12. While in any *Park*, no person shall:

(a) light, build or stoke an open fire or bonfire unless authorized by *Permit*;

(b) use charcoal or solid fuelled portable barbeques unless authorized by *Permit* or where *Posted* to allow same;

(c) use fuel other than charcoal or briquettes in stationary barbeques; or

(d) leave a barbeque or campfire without extinguishing the fire and ensuring that the embers are cold.

Organized Gathering and Picnics

13. While in any *Park*, no person shall:

(a) unless authorized by *Permit*, hold a picnic, organized gathering or event for more than twenty-five persons; or

(b) interfere with a picnic, organized gathering or event authorized by *Permit*.

Amplifiers and Loud Speakers

14. Unless authorized by *Permit*, no person shall operate loud speakers or amplifying equipment in any *Park*.

Camping and Lodging

15. Unless authorized by *Permit*, no person shall dwell, camp or lodge in any *Park*.

Tents and Structures

16. Unless authorized by *Permit*, no person shall place, install or erect any temporary or permanent tent or structure in any *Park*.

Bathing and Swimming and Sun Bathing

17. No person shall in any *Park:*

(a) enter any public swimming pool, except at times designated for swimming;

(b) in or adjacent to any swimming pool, fail to abide by *Posted* signs or to obey the instructions of any lifeguard or other authorized person;

(c) swim, bathe or wade in any fountain, pond, lake or stream, except in a *Designated Area*; or

(d) utilize facilities without being properly attired including appropriate swimwear or beach clothing.

Use of Wash and Change Rooms

18. No person shall enter any portion of any washroom, bathhouse, or changeroom in any *Park* set apart for the opposite sex.

Part III - Games, Sports and Organized Activities

Organized Sports or Activities

19. (1) While in any *Park*, no person shall:

(a) arrange or engage in an *Organized Sport* or *Activity,* unless authorized by *Permit*; or

(b) interfere with an *Organized Sport* or *Activity* authorized by *Permit*.

(2) In addition to the prohibitions set out in subsection (1), while in any *Park* no person shall utilize a *Designated Area* without a *Permit* where same is *Posted* to prohibit or restrict such use.

Fishing

20. No person shall fish in an area *Posted* to prohibit same, in any *Park.*

Golf

21. (1) While in any *Park*, no person shall play or practise golf or strike a golf ball except on a golf course or in a *Designated Area.*

(2) On any golf course located in a *Park* no person shall:

(a) play or practise golf unless registered on that day as a player;

(b) hunt for or pick up any lost, misplaced, or abandoned golf balls provided that nothing herein shall prevent a person registered as a player or such player's caddy from retrieving or attempting to retrieve golf balls lost by such registered player; or

(c) during the period from April 1st to and including November 30th, enter in or upon the playing area thereof unless registered on that day as a player or accompanying such player as a caddy.

Model Aircraft and Rockets

22. While in any *Park*, no person shall operate any powered models of aircraft, rockets, *Watercraft* or *Vehicles* unless authorized by *Permit.*

Aircraft

23. Unless authorized by *Permit,* no person shall tether, launch or land any fixed-wing aircraft, helicopter, hot air balloon, hang glider, ultra light aircraft or similar conveyance in any *Park.*

Skating

24. On any natural or artificial ice surface located in any *Park*, no person shall:

(a) use speed skates unless authorized by *Permit* or in a *Posted* area in accordance with *Posted* conditions;

(b) skate or act in such a manner as to interfere with and/or endanger any other person using the surface; or

(c) use a stick of any kind except in accordance with *Posted* conditions.

Skiing, Tobogganing and Sledding

25. (1) No person shall downhill ski, toboggan, snowboard, skibob or sled in any area *Park* unless otherwise *Posted* to allow same.

(2) No person shall cross country ski in any area *Park* that has been posted to prohibit same.

Roller Skates and Skateboards

26. While in any *Park,* no person shall:

(a) operate or utilize roller skates, skate boards, linear skates or like conveyances where *Posted* to prohibit or otherwise restrict the use of same; or

(b) obstruct, inconvenience or endanger other users of the *Park* while operating or utilizing traditional or in-line roller skates, skate boards or like conveyances.

Tennis

27. No person shall enter, walk, or play upon a *Designated Area* for tennis in any *Park*, except in accordance with the *Posted* rules and regulations.

Part IV - Vehicles

Roadway

28. (1) The *Council* or, where such authority has been delegated, the *Director* or Committee established by *Council,* is authorized to establish appropriate regulations to regulate the use of *Park* roadways.

(2) Unless authorized by *Permit*, and except as provided in section 31 with respect to *Bicycles*, no person shall while in any *Park* drive, operate, pull or ride any *Vehicle* except on a roadway or *Public Parking Area.*

Parking

29. No person shall in any *Park*:

(a) park or leave a *Vehicle* except in a *Designated Area* for parking;

(b) park or leave a *Vehicle* between the hours of 11:01 p.m. and 5:59 a.m., except in a *Designated Area* allowing for such overnight parking, or where authorized by *Permit;*

(c) stop or park a *Vehicle* in a *Designated Area* for parking, except in a *Parking Space* and in accordance with *Posted* conditions;

(d) stop or park a *Vehicle* in a designated disabled *Parking Space,* unless a disabled person parking permit issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, is properly displayed on or in the Vehicle; or

(e) use any *Parking Space* except while using the *Park.*

30. No person shall make use of any roadway or parking lot in any *Park* for:

(a) washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any *Vehicle*; or

(b) instructing, teaching or coaching any person in the driving operation of a *Motor Vehicle.*

Bicycles

31. While in a *Park*, no person shall:

(a) ride, operate or be in possession of any *Bicycle* where *Posted* to prohibit same; or

(b) obstruct, inconvenience or endanger other users of the *Park* while riding or operating a *Bicycle.*

Motorized Recreational Vehicles

32. No person shall ride, drive, park or be in possession or control of a *Motorized Recreational Vehicle* in any *Park* except in a *Designated Area.*

Trucks and Commercial Vehicles

33. No person shall drive, operate, pull or ride in any *Park*:

(a) any heavy machinery or equipment of any description and whatever the mode of power; or

(b) any truck, trailer or bus whatsoever except a *Vehicle* that is,

(i) being used for the purpose of making a delivery to a point within the limits of the *Park* while it is proceeding to or from such point of delivery, or

(ii) operated for personal, recreational, or non-commercial use.

Speed

34. Unless authorized by *Permit*, while in any *Park* no person shall operate:

(a) any *Vehicle* on a roadway at a speed in excess of the *Posted* limit; or

(b) a *Bicycle* other than on a roadway at a speed in excess of 20 kilometres per hour.

Horses

35. (1) Unless authorized by *Permit,* no person as owner or person having control of any horse shall permit it to enter or remain in a *Park* unless:

(a) within a *Designated Area* for use by horses; and

(b) it is well broken and wearing a bridle.

(2) No person riding or having control of a horse in any *Park* shall obstruct, inconvenience or endanger other users of the *Park.*

Dogs

36. (1) While in any *Park,* no person as owner or person having control of any dog shall:

(a) allow it to run at large.

(b) excluding blind persons or hearing impaired persons reliant upon a guide dog, permit any dog to enter any beach, pond, swimming area, farm area, garden, landscaped area, playground or sports field, or any other area *Posted* to prohibit same.

(2) While in a *Park* every person as owner or person having control of any dog shall:

(a) ensure that it is on a leash or chain not exceeding 2.4 metres in length;

(b) excluding *Disabled Persons,* pick up and remove forthwith excrement left by the dog and dispose of it in a sanitary manner in a receptacle for litter or in some other suitable container.

Dangerous Animals

37. No person as owner or person having the control of any animal shall bring into or permit such animal to enter any *Park* if it may or does constitute a danger to other park users or is reasonably likely to frighten other park users.

Part VI - Watercraft

Boating

38. No person shall, subject to any right at law to do so, place, operate, drive or ride any *Watercraft* in any *Park* in any area *Posted* so as to prohibit or restrict the type and allowable uses of *Watercraft.*

Mooring

39. Unless authorized by *Permit,* no person shall, subject to any right of law to do so, moor *Watercraft* in any *Park:*

(a) except in a *Designated Area*;

(b) for a period longer than 48 hours;

(c) contrary to *Posted* restrictions or prohibitions or in any way that may or does endanger or inconvenience other *Watercraft* or their use or other users of the *Park*;

(d) without prior payment of the fee therefore authorized by *Council;*

(e) except in accordance with Schedule "C".

Part VII - Commercial Enterprises

Sale of Merchandise Trade or Business

40. (1) Unless authorized by *Permit,* no person shall, while in a *Park*, sell or offer or display for sale:

(a) any food, drink or refreshment;

(b) any goods, wares, merchandise or articles including promotional material, souvenirs and novelties; or

(c) any art, skill, service or work.

(d) except in accordance with The City of Hamilton Street Vendor Program.

(2) While in any *Park*, no person shall practise, carry on, conduct or solicit for any trade, occupation, business or profession.

Subscriptions and Contributions

41. While in a *Park*, no person shall beg, solicit or invite subscriptions or contributions.

Filming and Taping

42. While in a *Park*, no person shall take or permit to be taken for remuneration any film, photograph, video tape or television broadcast, unless,

(a) authorized by *Permit;* and

(b) otherwise *Posted;*

(c) except in accordance with Schedule "B".

Circulars and Advertisements

43. (1) Unless authorized by *Permit,* no person shall:

(a) while in any *Park* distribute, discard, or display any handbill, notice, or other circular, bill or advertisement; or

(b) *Post,* nail, attach, stencil or otherwise fasten or erect any poster, sign, notice, placard or other circular, bill, advertisement or paper to any *Park* property;

Part VIII - Regulation and Enforcement

Permits and Licences

44. (1) *Permits* issued for activities contemplated in this by-law may be subject to such fees as *Council* shall from time to time establish.

(2) *Permits* issued for activities contemplated in this by-law may include conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity and insurance coverage.

(3) The issuance of a *Permit* pursuant to this by-law shall not relieve any person from the necessity of acquiring any other licence or *Permit* required for such activity by any governmental or public authority.

(4) No *Permit* contemplated by this by-law shall be issued if same would result in the contravention of other applicable law.

Posting of Signage

45. The *Director* is authorized to *Post* signage of permission, regulation, restriction, warning or prohibition with respect to uses of or activities in any *Park* in accordance with the provisions hereof.

Temporary Closure

46. The *Director* is authorized to close off for such temporary period as the *Director* deems appropriate any *Park* or part or parts thereof to relieve or prevent overcrowding or traffic congestion, or in the interests of public safety, or as may otherwise be authorized by *Council.*

Exclusions and Exemptions

47. (1) This by-law shall not apply to:

(a) the drivers, operators or other personnel of ambulances, police or fire department vehicles, while engaged in the performance of their duties;

(b) employees or agents of the *City* while engaged in works or services undertaken for or on behalf of the *City*; or

(c) a *Park,* property or building that is now or hereafter under the jurisdiction of a board established by the *Council* or by statute, the members of which are appointed by *Council.*

(2) This by-law shall be subject to provisions of contracts and agreements now or hereafter entered into by the *City* covering works or services to be performed in any *Park.*

Enforcement

48. (1) Any police officer, provincial offences officer or employee of the *City* designated by the *Director* is authorized to inform any person of the provisions of this by-law and to request compliance therewith.

(2) Any police officer, provincial offences officer or employee of the *City* whose duties include the enforcement of this municipal by-law, is authorized to order any person believed by such officer or employee to be contravening or who has contravened any provision of this by-law,

(a) to desist from the activity constituting or contributing to such contravention;

(b) to remove from the *Park* any animal or thing owned by or in the control of such person which the officer or employee believes is or was involved in such contravention; or

(c) to leave the *Park.*

(3) Any police officer or provincial offences officer may enforce the provisions of this by-law.

(4) Where any person contravenes any of the provisions of this by-law, or fails to comply with any order referred to in subsection (2) hereof, the permission and licence of such person to remain in that *Park* is revoked.

Penalty

49. (1) Any person contravening any of the provisions of this by -law, other than clause 34(a) resulting from the operation of a *Motor Vehicle,* is guilty of an offence and on conviction is liable to a fine in such amount provided for by the Provincial Offences Act, R.S.O. 1990, c.P.33, as may be amended from time to time.

(2) Any person contravening the provision contained in clause 34(a) of this by-law, resulting from the operation of a *Motor Vehicle,* is guilty of an offence under the Highway Traffic Act, R.S.O. 1990, c.H.8, and, pursuant to the provisions thereof, on conviction is liable to a fine in such amount provided for by the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time.

(3) The owner of a *Motor Vehicle* that is parked or left in contravention of section 29 of this by-law is guilty of an offence and on conviction is subject to the provisions of this section, unless at the time of the offence the *Motor Vehicle* was in the possession of another person without the owner's consent.

Removal of Vehicles

50. A police officer or provincial offenses officer upon discovery of any *Vehicle* parked or standing in contravention of section 29 of this by-law may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the *Vehicle* which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c.R.25, as may be amended from time to time, or any successor acts thereto.

Schedules

51. The Schedules attached to this by-law and listed below shall have the same force and effect as if the provisions contained therein were contained in the body of this by-law:

Schedule "A" - Release of Balloons
Schedule "B" - Filming
Schedule "C" - Passenger Tarrifs

Severability And Saving

52. Should a court of competent jurisdiction declare a part or the whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of *Council* that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

Short Title 53. The short title of this by-law shall be "The Parks By-law".

Repeal 54. By-law 89-74 is hereby repealed in its entirety.

PASSED this *30th* day of *May* A.D. 1995

City Clerk Mayor

SCHEDULE "A"

1. No person shall, while in a Park release 10 or more balloons inflated with lighter-than-air gases within a 24 hour period.

SCHEDULE "B"

In this Schedule the following guidelines shall be adhered to when filming and taping in a Park within the City of Hamilton:

1. The Director of Public Works shall:

   (a) in the case of production as listed in Clause (5), give written notice to permit staff, outlining as fully as possible all details of production, at least five working days prior to the actual filming;

   (b) in the case of productions as listed in Clause (6), give written notice to permit staff, outlining as fully as possible all details of production, at least three working days prior to the actual filming;

2. The Director of Public Works, and subject to paragraph (3), may issue the Permit for the period specified therein subject to the person receiving the Permit;

   (a) agreeing that production vehicles will be clearly identified and further agreeing that all vehicles will comply with regulations governing vehicular traffic in the City Parks as determined by the Director of Public Works from time to time and approved by City Council;

   (b) agreeing that production vehicles and equipment will not block fire hydrants, driveways or other access ramps;

   (c) agreeing that all generators used in City Parks will be "blimped" generators;

   (d) agreeing that lighting for filming will be oriented away from neighbouring residences;

   (e) agreeing that production crews will clean the filming locations at the end of each filming day;

   (f) agreeing to indemnify and save harmless the City from any action, claim, damage or loss whatsoever arising from the issuance of the Permit or the use of the Park;

   (g) where deemed necessary by the Director of Public Works, a security deposit shall be required prior to the issuance of a film Permit, in an amount satisfactory to the Director and City Treasurer to ensure that the lands will be restored to the satisfaction of the Director and that any damage to the parklands or property will be satisfactorily repaired. The deposit will be accepted in the form of a certified cheque, letter of credit from a chartered bank or other document satisfactory to the Treasurer; and

   (h) providing a certificate of insurance for general comprehensive public liability for three million dollars, satisfactory to the City Treasurer.

3. Where the Director refuses to approve the issuance of a permit, the applicant shall be referred to City Council for its determination.

4. City Council may cancel the permission for the use of the Park and the Director of Public Works may suspend for cause any such permission pending a report thereon to the Parks & Recreation Committee and Council.

5. Clause 1(a) applies to the following productions:

(a) feature motion picture main unit;

(b) feature television movie main unit;

(c) television mini-series main unit;

(d) television network variety specials;

(e) television network productions requiring any pre-production staging or installation; and

(f) any production requiring the use of amplified sound or pyrotechnic special effects.

6. Clause 1(b) applies to the following productions:

(a) feature motion picture second unit (6 vehicles or less);

(b) feature television movie second unit (6 vehicles or less);

(c) television mini-series second unit (6 vehicles or less);

(d) episodic television series;

(e) television commercials;

(f) current affairs and documentary film and television film production;

(g) television broadcast events coverage not requiring any pre-production staging Promotional films;

(h) non-broadcast television production;

(i) industrial films or home video productions;

(j) music videos;

(k) educational or student films; and

(l) camera or equipment tests.

SCHEDULE "C"

1. In this Schedule

   (a) "Commercially Operated Boat" means a boat in which the Owner or Operator transports or offers to transport persons and/or personal property for a fee;

   (b) "Harbour Master" means the Harbour Master of the Hamilton Harbour Commission.

2. Unless authorized by the Director and "Harbour Master" no Operator or Owner of a "Commercially - Operated Boat" shall moor, allow to be moored, or operate such commercially operated boat within Harbourfront Park or Pier 4 Park or the Sea-Walls located within Harbourfront Park or Pier 4 Parks.

The Corporation of the City of Hamilton

BY-LAW NO. 95- 127

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1445 MAIN STREET WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, the land comprised in Block 2,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Commercial Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) Notwithstanding Section 14.(1)(xviia) of Zoning By-law No. 6593, a mechanical car wash consisting of one bay, as an accessory use to a gas bar shall be permitted; and,

(b) Notwithstanding Section 18.(3)(ivc)(a) of Zoning By-law No. 6593, a 4.0 m minimum westerly side yard shall be provided and maintained for every building or structure; and,

(c) Notwithstanding Section 14.(1)(xvi) of Zoning By-law No. 6593, only one (1) business identification sign that is ground sign and having a vertical dimension of not more than 6.0 metres, an aggregate area of vertical projection of not more than 1.0 square metre per 0.5 metres of street frontage of the lot, and located not less than 3.0 m from the Main Street West streetline shall be permitted; and,

(d) Notwithstanding clause 2.(2)J.(xb) of Zoning By-law No. 6593, one (1) directional sign at each point of ingress and egress, and each said sign of a size not exceeding 1.2 square metres (12.92 square feet) shall be permitted; and,

(e) No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination; and,

(f) A landscape area not less than 6.0 m in width shall be provided and maintained along the westerly lot line where the lot adjoins a residential district and no parking or other use shall be permitted within the landscape area, except for the one bay mechanical car wash; and,

(g) A landscape area not less than 3.0 m in width shall be provided and maintained along the northerly and easterly lot lines, except for any area used for access driveways; and,

(h) A visual/acoustical barrier not less than 1.8 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line, where the lot adjoins a residential district; and,

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1341.

5. Sheet No. W-46 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1341.

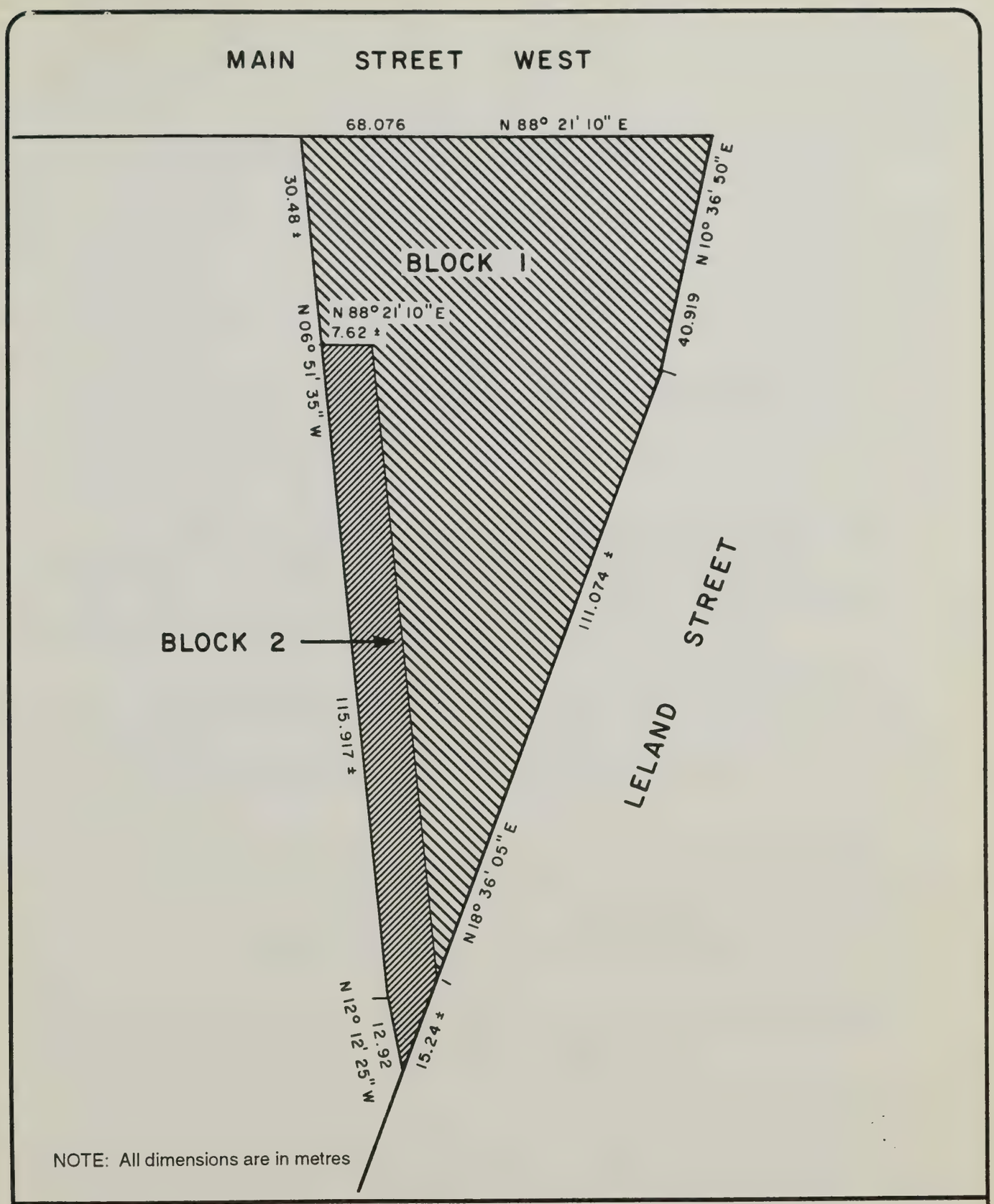
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *30th* day of *May* A.D. 1995

CITY CLERK

MAYOR

(1995) 11 R.P.D.C. 2, April 11
Imperial Oil Limited, Owner
ZAC-95-02



This is Schedule "A" to By-Law No. 95-127
Passed the 30th day of May, 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-127
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 1 — Modification to the established "H" (Community Shopping and Commercial, etc.) District.

BLOCK 2 — Change in zoning from "C" (Urban Protected Residential,etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified.

North	Scale	Reference File No.
	Not to Scale	ZAC-95-02
	Date	Drawn By
	MAY 1995	Z.K.

Bill No. C-39

The Corporation of the City of Hamilton

BY-LAW NO. 95-128

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1445 MAIN STREET WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

   156. Land located at Municipal No. 1445 Main Street West, shown on Appendix 156 hereto annexed and forming part of this by-law.

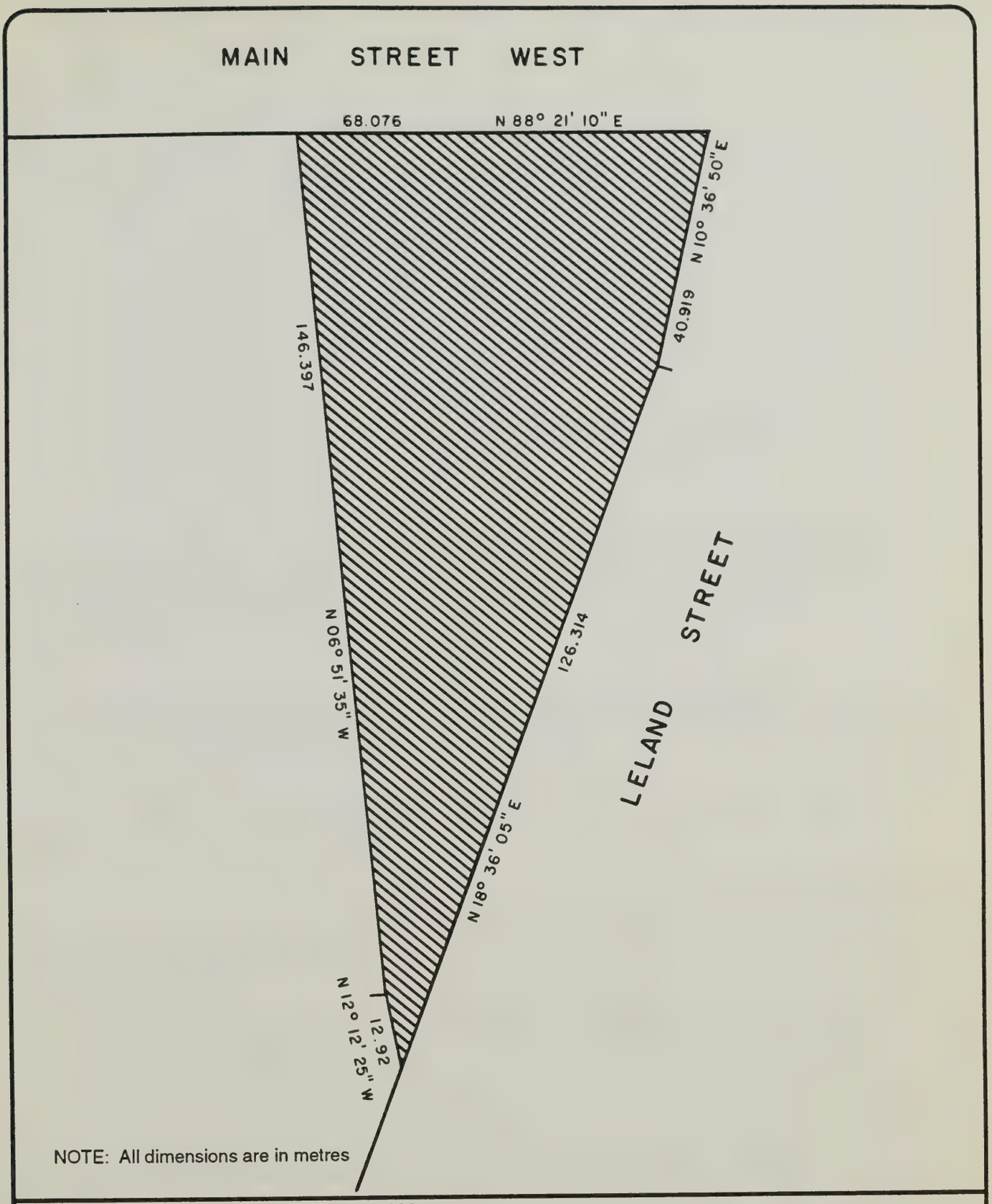
2. Appendix 156 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 30th day of May A.D. 1995

CITY CLERK

MAYOR

(1995) 11 R.P.D.C. 2, April 11
Imperial Oil Limited , Owner
ZAC-95-02



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-128
Passed the 30th day of May, 1995.

Clerk

Mayor

City of Hamilton

Appendix 156

to By-Law No. 79-275

as Amended by By-Law No. 87-223

Planning and Development Department

Legend

Lands designated under this By-Law as an area of Site Plan Control pursuant to section 41 of the Planning Act, R.S.O., 1990.

North	Scale	Reference File No.
	Not to Scale	ZAC-95-02
	Date	Drawn By
	MAY 1995	Z.K.

Bill No. C-40

The Corporation of the City of Hamilton

BY-LAW NO. 95-129

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 370 MAIN STREET EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-13 and E-14 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "CR-2" (Commercial - Residential) District provisions, as contained in Section 15B of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) For the purpose of this By-law, a Senior Citizens' Dwelling Unit shall mean a separate set of living quarters, operated by a non-profit housing corporation which receives assistance under the National Housing Act or other non-profit housing programs, the purpose of which is to provide housing subsidies for qualifying senior citizens, and which shall include at least one room and separate kitchen and sanitary conveniences with a private entrance outside or from a common hallway or stairway inside; and,

(b) Notwithstanding Sections 15B(14) and 15B(16) of Zoning By-law No. 6593, a mixed commercial and residential development shall be permitted with a total maximum gross floor area of 4,114 m^2 and shall include a Senior Citizens' Multiple Dwelling with a maximum of 50 Senior Citizens' Dwelling Units and a maximum residential gross floor area of 3,983 m^2, subject to the following special provisions:

1. Notwithstanding Section 15B(8)(b) no building or structure shall exceed 7 storeys or 22.4 m in height; and,

2. Notwithstanding Section 15B(9) the following minimum yards shall be provided and maintained for any residential use:

1.	front yard (north lot line along Main Street)	5.0m
2.	side yard (west lot line)	0.0m
3.	side yard (east lot line along Emerald Street)	0.0m
4.	rear yard (south lot line)	4.5m; and,

3. Notwithstanding Section 15B(11)(b) a west side yard of 0.0m may be provided and maintained for any commercial use; and,

4. Notwithstanding Section 15B(19) a minimum amenity area of 721 m^2 shall be provided and maintained; and,

5. Notwithstanding Section 15B(21) and 15B(22) a minimum landscaped area of 111.5 m^2 shall be provided and maintained and may be located above grade, subject to Section 15B(27); and,

6. Notwithstanding Section 18.(3)(vi), a balcony may project 1.6 m into the required front and rear yards; and,

7. Notwithstanding Section 18A, a minimum of one 3.7 m x 9.0 m x 4.3 m loading space shall be provided and maintained; and,

8. Notwithstanding Section 18A, parking shall be provided and maintained for a Senior Citizens' Multiple Dwelling on the basis of 0.3 spaces per Senior Citizens' Dwelling Unit, except that not less than 33 parking spaces shall be provided and maintained; and,

9. Notwithstanding Section 18A, a maximum of four of the required parking spaces may be located on Block "2".

3. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law 6593, applicable to the lands comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) Notwithstanding Section 11(1) of Zoning By-law No. 6593, parking accessory to a mixed residential and commercial development on Block "1" shall be permitted, subject to the following special provisions:

1. Notwithstanding Section 18(A) manoeuvring space may be provided off-site; and,

2. A visual barrier not less than 1.2 m and not more than 2.0m in height shall be provided and maintained along the southerly lot line, except for a distance of 5.0 m from the Emerald Street road allowance; and,

3. A minimum 2.7 m wide landscaped planting strip shall be provided and maintained along the southerly lot line.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-2" District and "E" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1340.

6. Sheets No. E-13 and E-14 of the District Maps are amended by marking the lands referred to in section 1 and section 3 of this by-law, S-1340.

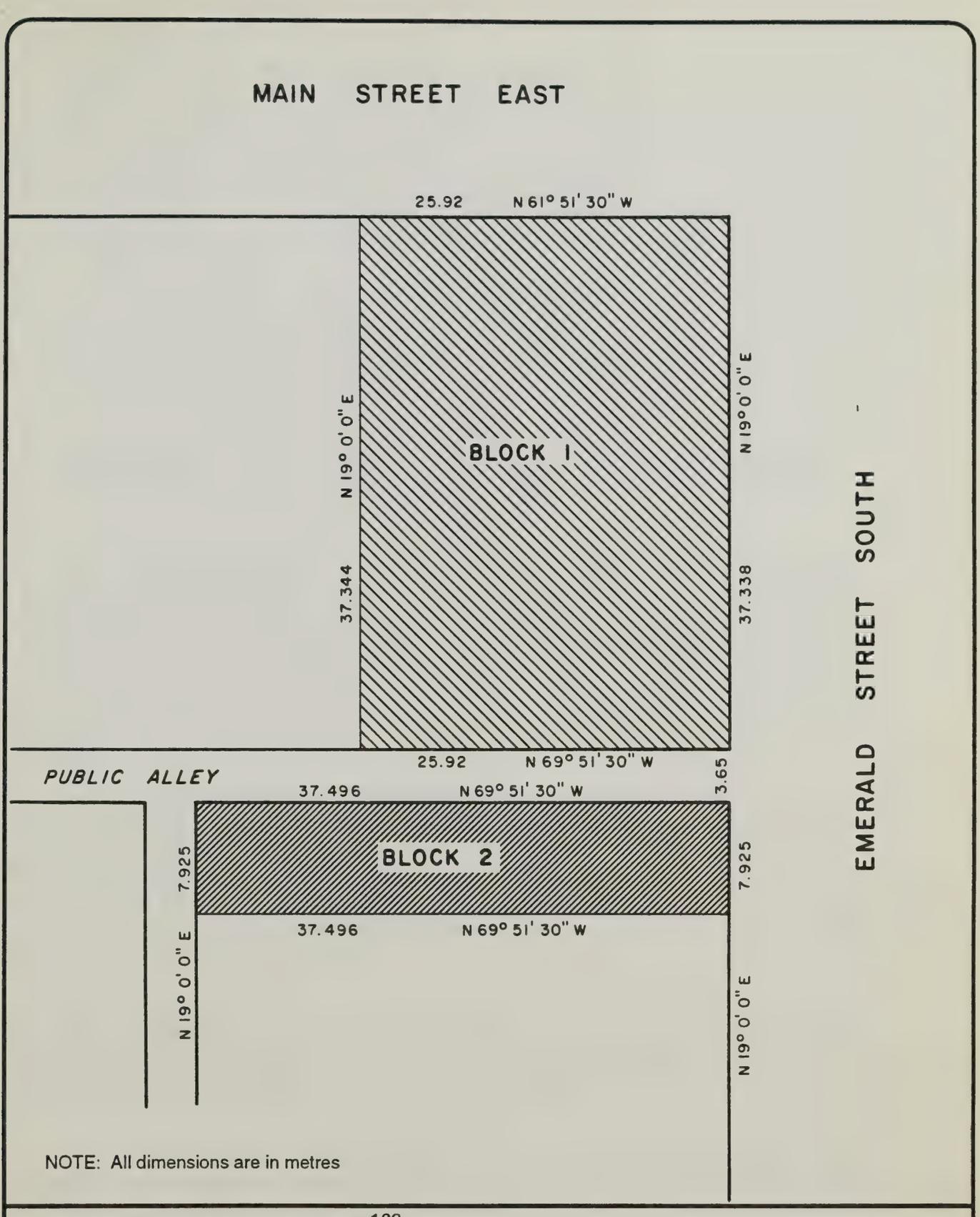
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *30th* day of *May* A.D. 1995

CITY CLERK

MAYOR

(1995) 11 R.P.D.C. 1, April 11
Investors Group, Mortgagee in Possession
ZAC-94-04



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-129
Passed the 30th day of May , 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-129
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 1 — Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District, modified.

BLOCK 2 — Modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations.

North	Scale	Reference File No.
	Not to Scale	ZAC-94-04
	Date	Drawn By
	APRIL 1995	Z.K.

Bill No. C-41

The Corporation of the City of Hamilton

BY-LAW NO. 95- 130

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws No. 85-171 and 93-145

Respecting:

LANDS LOCATED AT MUNICIPAL Nos. 1010 -1024 UPPER WENTWORTH STREET

WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 85-171 on the 27th day of August, 1985 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the lands located on the west side of Upper Wentworth Street, between Mohawk Road East and Limeridge Road East, in the vicinity of Kingfisher Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 14th day of January 1986, (File No. R 850477);

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 93-145 on the 29th day of June, 1993 to rezone the subject lands from "HH" (Restricted Community Shopping and Commercial) District to "HH" -'H' (Restricted Community Shopping and Commercial - Holding) District and established special requirements with respect to the said lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS section 2. of By-law No. 93-145 provides that upon the applicant/owner applying for and receiving approval of a Site Plan Control application from the City of Hamilton, and receiving approvals and amendments where necessary for access to the lands from Regional Council, as required by the Roads Department, the 'H' symbol shall be removed by amendment to By-law 93-145;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Item 13 of the Fourteenth Report of the Planning and Development Committee at its meeting held on the 30th day of May 1995, directed that By-law No. 93-145 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 93-145, passed on the 29th day of June, 1993, to the **"HH" - 'H'** (Restricted Community Shopping and Commercial - Holding) District designation of the lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 93-145 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the "HH" District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 2. of By-law No. 85-171 and section 3. of By-law No. 93-145.

2. Sheet No. E-18A of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 93-145, is further amended by changing from **"HH" - 'H'** (Restricted Community Shopping and Commercial - Holding) District to **"HH"** (Restricted Community Shopping and Commercial) District, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2. of By-law No. 85-171 and section 3. of By-law No. 93-145.

4. By-law No. 6593, as amended by By-laws No. 85-171 and 93-145, is further amended by adding this by-law to section 19B as Schedule S-922e.

5. Sheet No. E-18A of the District Maps, as amended by By-laws No. 85-171 and 93-145, is further amended by marking the lands referred to in section 2. of this by-law, S-922e.

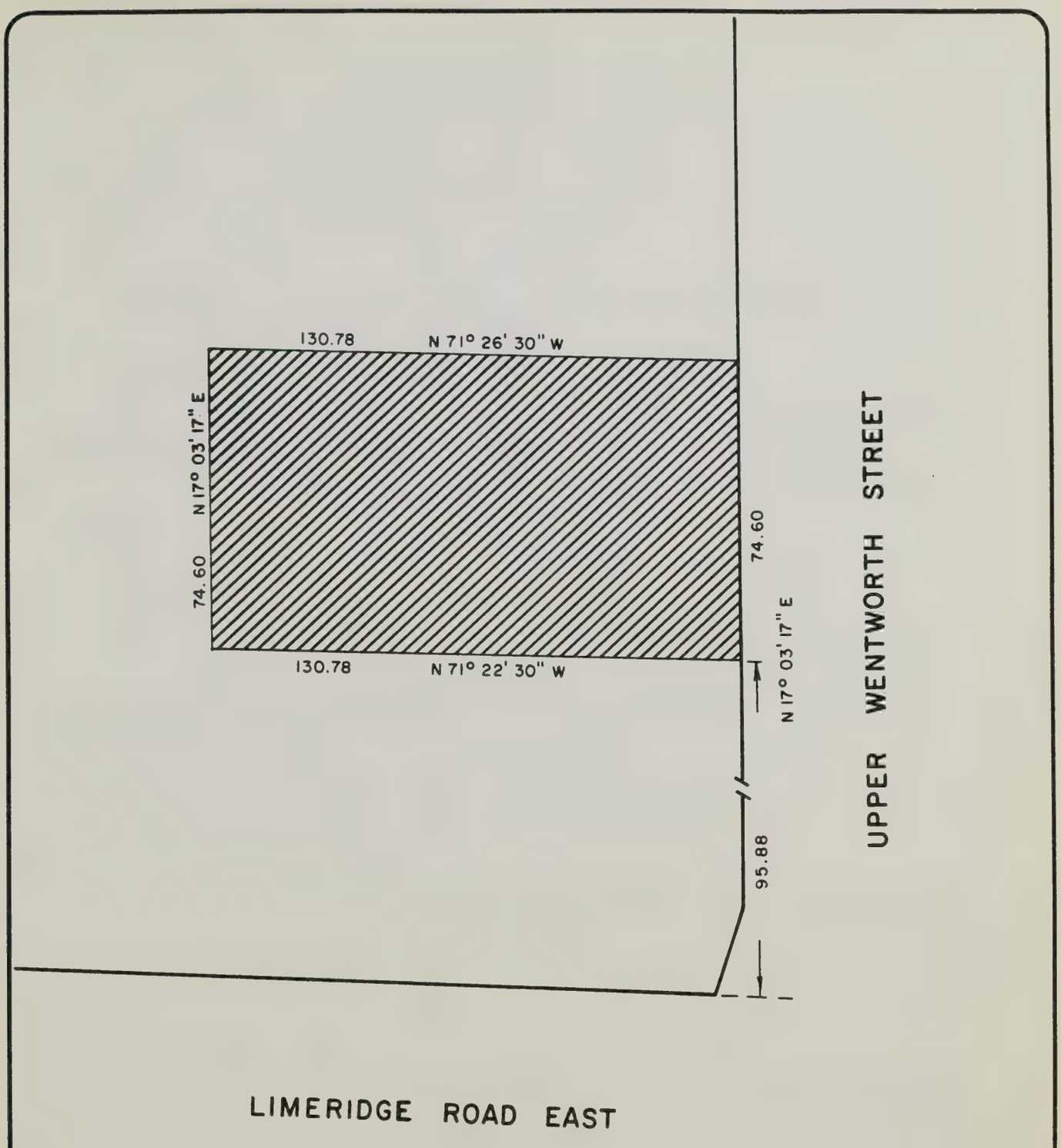
6. In all other respects, By-law No. 93-145 is hereby confirmed, unchanged.

PASSED this *30th* day of *May* A.D. 1995.

CITY CLERK

MAYOR

(1995) 14 R.P.D.C. *13*, May 30
891157 Ontario Limited (R. Yates), Owner
ZAR-95-16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-130
Passed the 30th day of May, 1995.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-130.
to Amend By-Law No. 6593

Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 95-130.....

North	Scale	Reference File No.
	Not to Scale	ZAR-95-16
	Date	Drawn By
	APRIL 1995	Z.K.

Bill No. C-42

The Corporation of the City of Hamilton

BY-LAW NO. 95- 131

To Amend By-law No. 84-35

To Provide For:

MAINTAINING LAND IN A CLEAN AND CLEAR CONDITION

WHEREAS By-law No. 84-35 was enacted on the 14th day of February, 1984;

AND WHEREAS City Council, in adopting Item 8 of the 14th Report of the Planning and Development Committee at its meeting held on May 30, 1995, authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Section 7 of By-law No. 84-35 is repealed and replaced with the following:

"7. (1) The Commissioner or an inspector may make an Order sent by regular mail to the last known address on the assessment records, to the owner, lessee or occupant and by posting on site, requiring the owner, lessee or occupant within the time specified in the Order,

(a) to keep his private drains in repair;

(b) to alter or relay his private drains;

(c) to provide for the sanitary disposal of sewage and drainage from his land or structure;

(d) to clean, clear or remove from the land or structure garbage, refuse or domestic or industrial waste of any kind;

(e) to cease using the land or structure for the dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind;

(f) to cover over, screen, shield or enclose the garbage, refuse or the domestic or industrial waste in the manner prescribed by the Commissioner.

(2) Every notice sent by the Commissioner or Inspector shall identify the land or structure.

PASSED this 30th day of May ,1995.

CITY CLERK

MAYOR

(1995) 14 R.P.D.C. 8, May 30

Bill No. D-44

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- *132*

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this *30th* **day of** *May* **1995 A.D.**

CITY CLERK **MAYOR**

SCHEDULE "A" *to By-law 95-132*
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	33 Biggar
	SERIAL NUMBER	03 02710 1570
	BRIEF LEGAL DESCRIPTION	PLAN 606,PT LOT 87 & 88
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191793
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$5,083.45
B)	PROPERTY ADDRESS	129 Birge
	SERIAL NUMBER	03 02165 8030
	BRIEF LEGAL DESCRIPTION	PLAN 283, PT LOT 26
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191796
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$7,067.72
C)	PROPERTY ADDRESS	172 Sanford S
	SERIAL NUMBER	03 02430 0760
	BRIEF LEGAL DESCRIPTION	PLAN 408, LOT 48,PT LOT 49
	DATE OF REGISTRATION	August 24, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191789
	REDEMPTION DATE	August 24, 1995
	TOTAL ARREARS	$16,057.13
D)	PROPERTY ADDRESS	6 Olmstead
	SERIAL NUMBER	01 00540 7570
	BRIEF LEGAL DESCRIPTION	PLAN 118,PT LOT 25,LOTS 26 TO 29
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191787
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$28,339.62
E)	PROPERTY ADDRESS	12 Ray S
	SERIAL NUMBER	01 01015 3260
	BRIEF LEGAL DESCRIPTION	PLAN 1435,BLK 1,RANGE 2,PT LOTS 5, 6
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191786
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$23,507.78
F)	PROPERTY ADDRESS	48 Haddon N
	SERIAL NUMBER	01 00520 4230
	BRIEF LEGAL DESCRIPTION	PLAN 652,LOT 1205
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191794
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$18,806.49
G)	PROPERTY ADDRESS	843 King E
	SERIAL NUMBER	03 02325 5370
	BRIEF LEGAL DESCRIPTION	PLAN 571,PT LOT 1
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191790
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$42,926.47

SCHEDULE "A" *to By-law 95-132*
EXTENSION AGREEMENTS

H)	PROPERTY ADDRESS	215 Nappier
	SERIAL NUMBER	01 01045 3300
	BRIEF LEGAL DESCRIPTION	PLAN 47,BLK 2,PT LOT 12
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191792
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$9,119.64
I)	PROPERTY ADDRESS	71 Horning
	SERIAL NUMBER	08 10730 6988
	BRIEF LEGAL DESCRIPTION	PLAN M230,BLK A
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	LT369731
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$1,512.21
J)	PROPERTY ADDRESS	171 Herkimer
	SERIAL NUMBER	02 01303 0100
	BRIEF LEGAL DESCRIPTION	PLAN 256,PT LOTS 49 & 50
	DATE OF REGISTRATION	August 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191788
	REDEMPTION DATE	August 19, 1995
	TOTAL ARREARS	$11,989.49
K)	PROPERTY ADDRESS	124 Walnut S
	SERIAL NUMBER	02 01435 0370
	BRIEF LEGAL DESCRIPTION	PLAN 48,PT LOTS 4, 5 & 6
	DATE OF REGISTRATION	August 12, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191176
	REDEMPTION DATE	August 12, 1995
	TOTAL ARREARS	$56,783.91
L)	PROPERTY ADDRESS	55 Mary
	SERIAL NUMBER	02 01540 3720
	BRIEF LEGAL DESCRIPTION	SURVEY N HUGHSON PT LOT 13
	DATE OF REGISTRATION	August 12, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM191172
	REDEMPTION DATE	August 12, 1995
	TOTAL ARREARS	$78,339.84
M)	PROPERTY ADDRESS	147 Elgin
	SERIAL NUMBER	02 01565 0790
	BRIEF LEGAL DESCRIPTION	PLAN 55, PT LT 32,PLAN 287,PT LT 32
	DATE OF REGISTRATION	December 14, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM260958
	REDEMPTION DATE	December 14, 1995
	TOTAL ARREARS	$8,097.93

Bill No. *D-45*

The Corporation of the City of Hamilton

BY-LAW NO. 95- *133*

Respecting:

APPOINTMENT OF AN EXTERNAL AUDITOR

WHEREAS Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 6 of the 18th Report of the Finance Committee on October 8, 1991 appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor;

AND WHEREAS the Council of The Corporation of the City of Hamilton on *May 30th , 1995* in adopting Item *18* of the *15th* Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1995;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1995.

2. The firm of MacGillivray Partners shall also complete the 1995 Financial Report for The Corporation of the City of Hamilton.

3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.

4. The fee payable to the auditor shall be $99,000 for 1995. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

PASSED this *30th* day of *May* , 1995.

City Clerk

Mayor

Bill No. D-46

BY-LAW NO. 95 - *134*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF MAY, A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

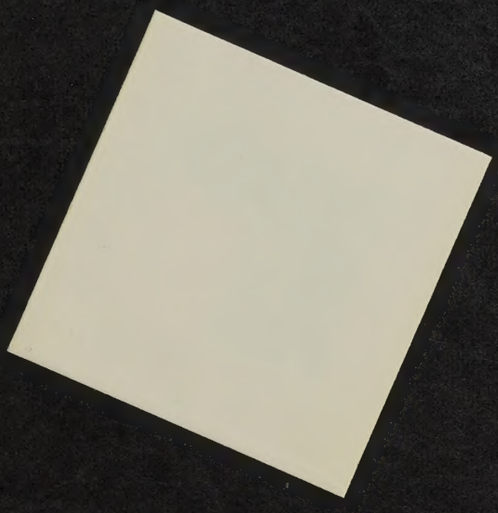
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of May A.D. 1995

CITY CLERK

MAYOR



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